Par. 8.2.1.1.52
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Thursday,
10th December, 1953

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

PARLIAMENT SECRETARIAT
NEW DELHI

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PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

HOUSE OF THE PEOPLE

Thursday, 10th December, 1953.

The House met at Half Past One of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

TRAINING OF CRAFTSMEN

*798. **Shri S. N. Das:** Will the Minister of **Commerce and Industry** be pleased to state whether Government are considering the question of making training of craftsmen an integral part of the activity of every Industrial concern?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): Government have under consideration proposals to amend the Apprentices Act of 1850.

Shri S. N. Das: May I know whether the All India Council of Technical Education has submitted any scheme or whether the Government have themselves prepared any scheme for this purpose?

Shri T. T. Krishnamachari: I am afraid I have no information before me so far as the question of preparation of a scheme is concerned. But this is a matter which we are now considering. The initiative in this matter was taken by the Madras Government who wanted to enact legislation of their own, amending the Apprentices Act of 1850. We felt it would be more appropriate for the Central Government to take it up. In fact, we are also awaiting the report of the Shiva Rao Committee on Employment Exchanges. It has a bearing on this particular matter. We have some powers under the Industries Control and Regulation Act. But we found that these powers were not effective enough for any planned programme in this direction.

Shri S. N. Das: May I know whether any such work is being done at present by some industrial concerns? If so, which are they?

Shri T. T. Krishnamachari: Broadly, Sir, we have information that it is being done on a voluntary basis by certain industrial concerns. But I have not got the full data before me.

Shri S. N. Das: May I know whether any estimate has been prepared of the training capacities of these industrial concerns and, if so, what is the estimate?

Shri T. T. Krishnamachari: We have not yet got to that very definitive stage. It is all in an exploratory stage.

Shrimati Tarkeshwari Sinha: May I know whether it is a fact that Mr. Clifford Fee, I.L.O. expert on 'Training within Industry', has been invited to assist the Government of India in framing a national plan for the training of craftsmen in the industrial concern itself, and whether he has submitted any plan to the Government?

Shri T. T. Krishnamachari: Sir, with the information in my possession I am unable to answer either in the affirmative or in the negative.

PRE-FABRICATED HOUSES IN JANGPURA

*799. **Sardar Hukam Singh:** (a) Will the Minister of **Production** be pleased to state whether any pre-fabricated houses were put up in Jangpura Colony of Delhi?

(b) If so, what was their number and where were they put up?

(c) Have these houses been lying unoccupied throughout this period?

(d) If so, what were the grounds for their remaining vacant?

The Minister of Production (Shri K. C. Reddy): (a) and (b). Yes. Twelve pairs of houses (24 units) were put up on the south east side of the Jangpura Rehabilitation Colony near the Government Housing Factory.

(c) and (d). Yes. These houses were not allotted for occupation because they were not considered quite safe for human habitation. They have however been just leased out to the Hindustan Housing Factory Limited who will strengthen them suitably before using them.

Sardar Hukam Singh: May I know the cost per unit and also the rent that would have accrued if they had been occupied?

Shri K. C. Reddy: The book value of the cost of these units is about Rs. 1,35,000. The question as to what would have been the rent if they had been occupied is a hypothetical question to which I am unable to give a definite answer.

Sardar Hukam Singh: May I know whether any decision was taken as to the rent that was to be recovered for each unit?

Shri K. C. Reddy: Well, Sir, I cannot answer that question without notice. Some of them were occupied for a short while. Later on they were found by a body of technical experts to be unsafe for human occupation, and the occupants of a few houses were also asked to vacate them. I am not in a position to say what was the rent fixed.

Sardar Hukam Singh: May I know whether their unsuitability for human habitation was due to some defect in the materials that were brought or some defect in the work or setting up of the contractor?

Shri K. C. Reddy: Several defects came to notice. Certain articles were prepared in the Hindustan Housing Factory. It was because of these defects that the original programme in the Factory was changed and it had also to close down, as hon. Members are aware. Now a new programme has been decided upon and a new arrangement has come into existence. And according to the new arrangement the new programme is being implemented.

Shri Bansal: May I know why so many houses were put up without some experiments being carried out first?

Shri K. C. Reddy: It is a very old question, as the House is aware. The original programme of this Housing Factory was finalised after taking all information available at that moment, technical as well as otherwise. What followed subsequently is within the knowledge of the honourable House.

Shri G. P. Sinha *rose*—

Mr. Speaker: Let us go to the next question. The hon. Member may refer to the old records and he will find the history.

SECOND FIVE YEAR PLAN

*800. **Shri S. N. Mishra:** Will the Minister of **Planning** be pleased to state the steps taken by the Planning Commission towards the formulation of the Second Five Year Plan?

The Minister of Planning and Irrigation and Power (Shri Nanda): The main step taken so far towards the formulation of the Second Five Year Plan is the appointment recently of an Advisory Committee on Irrigation & Power Projects. The Committee will examine various proposals from the technical, financial and economic aspects and will help ensure that all projects are fully investigated. There has also been preliminary consideration of priorities and man-power requirements for the Second Plan.

Shri S. N. Mishra: From the steps said to have been taken it does not appear that any fresh terms of reference have been laid down. May I know whether it is proposed to lay down fresh terms of reference for the next five year plan or it is proposed to work within the existing terms of reference?

Shri Nanda: That matter has not received consideration yet.

Shri S. N. Mishra: If there are no terms of reference, may we know how Government proposes to proceed with the formulation of the Second Five Year Plan and whether there is going to be any plan behind the preparation of the Second Five Year Plan?

Shri Nanda: There are certain objectives laid down in the terms of reference of the First Yive Year Plan which will mostly stand; and if at any stage Government thinks that any fresh reference is to be issued, it will be done.

Shri S. N. Mishra: May I know whether there is any proposal to expand or re-fashion the present planning machinery for the purpose of the next five year plan, so that its edifice may be democratically built up brick by brick from the bottom?

Shri Nanda: This is in view. Recently consideration of this subject was started and there was some discussion in the National Development Council. The idea of having planning from the bottom and having a suitable apparatus and machinery for that purpose is under consideration.

Shri N. M. Lingam: Have Government taken steps to see that there is no hiatus between the close of the current plan and the beginning of the next and, in particular, that trained personnel are not discharged for want of work?

Shri Nanda: Yes, Sir, that is certainly a legitimate consideration.

Shri Sinhasan Singh: May I know whether the hon. Minister of Planning had complanied in the A.I.C.C. meeting that the Government was not implementing the recommendations of the Planning Commission?

Mr. Speaker: Order, order. He is referring to the meeting of the A.I.C.C.

Shri Sinhasan Singh: Before coming to the Second Five Year Plan the First Five Year Plan should have been implemented. May I know whether the complaint of the hon. Minister has been removed and whether Government have implemented all the recommendations of the First Five Year Plan?

Mr. Speaker: I doubt whether the question will be admissible at all.

Shri K. K. Basu: May I know whether under the Second Five Year Plan only the river valley projects are being considered? Because it appears from the answer that the Committee is under Irrigation and Power only. What about the other aspects?

Shri Nanda: That is the beginning of the consideration that is going to be given to the preparation of the Second Five Year Plan. It is not only river valley projects. In the answer it has already been indicated that we are considering priorities as well as man-power requirements.

INDO-PAKISTAN TRADE AGREEMENT

***801. Dr. Ram Subhag Singh:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Indo-Pakistan trade agreement on commodities other than jute and coal expired on the 30th September, 1953;

(b) if so, whether any arrangements are being made for trade in these commodities between the two countries; and

(c) if so, what arrangements have been made?

The Minister of Commerce (Shri Karmarkar): (a) Yes, Sir.

(b) and (c). Trade between the two countries is regulated by their licensing policies. On the import side all licences for soft currency and dollar areas issued by either country are valid for import from the other. As regards export, the policies pursued by each country provide for exports of a number of commodities on a liberal scale.

Dr. Ram Subhag Singh: Who gave first the notice of termination of the agreement?

Shri Karmarkar: No question of notice. It terminates automatically after the period is over.

Dr. Ram Subhag Singh: The reply to part (a) is, no.

Shri Karmarkar: It was 'Yes', Sir.

Dr. Ram Subhag Singh: The agreement has terminated.

Shri Karmarkar: Yes, Sir.

Dr. Ram Subhag Singh: May I know whether it was India or Pakistan that gave the notice of termination?

Shri Karmarkar: No notice is required. It automatically terminated after the expiry of 3 months' additional period, that was permitted by the consent of both the parties.

Shri Kasliwal: May I know if Pakistan asked for an extension of this agreement?

Shri Karmarkar: The matter was under consideration. They asked for an extension. We do not think it worth while on the merits.

Dr. Ram Subhag Singh: May I know whether the termination of the agreement will have any bearing on the existing Indo-Pakistan agreement on jute and coal?

Shri Karmarkar: No, Sir.

LEMON GRASS OIL

***802. Shri V. P. Nayar:** (a) Will the Minister of **Commerce and Industry** be pleased to state in what States we now have the manufacture of Lemon Grass Oil (oil of Cymbopogon Species) and what are the quantities produced in each of them in the years 1950, 1951, 1952 and as far as available in 1953?

(b) What is the present stock of Lemon Grass Oil held in India?

(c) What are the average prices and peak prices for the oil during the years referred to in part (a) above?

(d) What is the total area under Lemon Grass cultivation and what is the number of persons engaged in cultivation and distillation of the oil?

(e) What steps, if any, have the Government of India taken to ensure the best prices for this oil?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) to (d). Lemon grass oil is now manufactured mainly in the State of Travancore-Cochin and in the Malabar District of Madras.

A statement containing the information as far as available is laid on the Table of the House. [*See* Appendix IV, annexure No. 27.]

(e) The problems relating to this industry have been considered by the Spices Inquiry Committee set up

under the Indian Council of Agricultural Research; the Committee's recommendations have now been received and are under examination.

Shri V. P. Nayar: May I know whether Government are aware that owing to the price fluctuations created by overseas buyers especially buyers from United States and United Kingdom, the industry has to go through periodic crises and that the crises affect thousands of people in the Travancore-Cochin State?

Shri T. T. Krishnamachari: There are a lot of assumptions in the question. I do not know if I would be correct in assuming that all these assumptions are correct. Undoubtedly it is true that there have been a lot of price fluctuations and price fluctuations also undoubtedly affect the interests of producers.

Shri V. P. Nayar: Has the Government of India investigated the possibilities of increasing internal consumption of lemon grass oil especially for citron and Ionone content?

Shri T .T. Krishnamachari: I do not know if Government of India's enquiries have been in the direction indicated by the hon. Member. But, the Spices Enquiry Committee have undoubtedly made certain recommendations in regard to the domestic consumption of lemon grass oil and its production.

Shri V. P. Nayar: May I know whether Government are aware that on account of very extensive cultivation, of lemon grass in places like Haiti, Guatemala, Belgian Congo, Brazil and Puerto Rico, the future of lemon grass in Travancore-Cochin and Malabar is uncertain and there may not be any cultivation by competition from those places?

Shri T. T. Krishnamachari: It is difficult for me to confirm all these assumptions. I understand that owing to certain changes in the methods adopted by the manufacturers of Vitamin A in the United States, the offtake of lemon grass oil in that country has dropped. I do not know if all these facts stated by the hon. Member are correct.

Shri A. M. Thomas: May I enquire whether any steps have been taken by the Government to ensure export quality-control and may I also enquire whether there was a proposal to invoke powers under the Sea Customs Act to resort to grading and other things? May I know at what stage the proposal stands?

Shri T. T. Krishnamachari: So far as my knowledge goes, nothing much has been done in regard to either export quality-control or grading. To a very large extent, Government's decision in the matter will depend upon how far they are prepared to accept the recommendations of the Spices Enquiry Committee.

EXPORT OF COAL

*803. { **Shri S. N. Mishra:** / **Shri Raghunath Singh:**

Will the Minister of **Production** be pleased to state:

(a) whether there has been any improvement in the export of coal since 11th May, 1953 when commercial charge on exports of coal was abolished: and

(b) if not, whether any further steps are contemplated?

The Minister of Production (Shri K. C. Reddy): (a) No.

(b) The Government have authorised the Coal Commissioner to remove certain restrictions on the export of the superior grades of coal wherever he considered this necessary. The procedure for exports has also been simplified so that shippers may be free to explore foreign markets, locate purchasers and then seek the sanction of the Coal Commissioner for export. What further steps could be taken for promoting exports are under consideration

Shri S. N. Mishra: What would be the amount of loss because of the abolition of the commercial charge on export of coal?

Shri K. C. Reddy: I am sorry I have not got the information ready at hand.

Shri S. N. Mishra: Is it Government's conclusion that the fall in export has not been due to the levy of this commercial charge?

Shri K. C. Reddy: No. The fall in exports cannot be said to be due to that reason because, as the hon. Member may be aware and as I have said in my answer, the abolition of these charges has not led to any appreciable increase in exports. That cannot be the main reason.

Shri S. N. Mishra: Do Government propose to re-levy this charge on export of coal?

Shri K. C. Reddy: There is no proposal to re-levy. We abolished that with a view to see whether that step would increase the exports. There is no proposal to re-levy the duty.

EDIBLE OILS AND OIL-SEEDS

***804. Shri S. N. Mishra:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the quantity or value of the export of edible oils up to October, 1953 as compared to the export last year during the same period;

(b) the export of oilseeds during the same period; and

(c) the difficulties experienced in the imposition of a small Cess on mill oil as recommended by the Planning Commission?

The Minister of Commerce (Shri Karmarkar): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 28.]

(c) This proposal is being considered in consultation with the various interests concerned.

Shri Nanadas: May I know what was the reason for the shortfall in the exports of groundnut oil and oilseeds?

Shri Karmarkar: Because we discouraged it.

Shri Nanadas: May I know whether it would adversely affect the primary producers of groundnuts?

Shri Karmarkar: We do not think so.

Shrimati Tarkeshwari Sinha: May I know whether the Government propose to abolish the export duty on all edible oils in view of the recent export recommendation of the Indian Central Oilseeds Committee that the export duty on all edible oils should be abolished?

Shri Karmarkar: That is another question. The answer is 'No'.

Shri Sinhasan Singh: May I know whether it was one of the recommendations of the Planning Commission that all edible oils should be produced only by the *ghanis* and the mills should be confined only to the production of non-edible oils? The Government replied in the last session that the matter was under consideration. May I know whether the Government have arrived at any conclusion about this part of the recommendation of the Planning Commission?

Shri Karmarkar: With regard to the first part, yes. With regard to the second part, not yet.

Shri Muniswamy: May I know whether the Government are in a position to retain the pre-war situation as regards the export of oil-seeds?

Shri Karmarkar: I am afraid, no.

SUPPLY OF ELECTRICITY TO PUNJAB AND P.E.P.S.U.

***805. Shri D. C. Sharma:** (a) Will the Minister of **Irrigation and Power** be pleased to state which districts of the Punjab and PEPSU will be supplied electricity under the Bhakra Nangal Project?

(b) When will they start getting that electricity?

(c) What will be the rate per unit of supply?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (c). A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 29.]

Shri D. C. Sharma: May I know who the Members are, of the Committee that has been asked to advise on a rational programme, etc.

Shri Hathi: The Member for Electricity on the Commission is one of the members. An Engineer from Punjab is also a Member. A Director from the Central Water Power Commission is a Member.

Shri D. C. Sharma: May I know why public-men are not associated in this Committee? Even though it is a matter of a technical nature, layman's point of view also may be useful.

Shri Hathi: Because it is a matter of a technical nature, persons who have got experience in this line have been nominated as members of the Committee.

Shri D. C. Sharma: May I know why Kangra and Gurdaspur have been left out of the schedule to which electricity will be supplied?

Shri Hathi: That would depend on the report of the Committee later on, I hope.

Shri Bansal: May I know what technicality is involved in deciding which parts should get electricity first and which parts later?

Shri Hathi: The technicality involved is load survey, what will be the economic distribution, how much load will develop at a particular time, etc. These are questions to be examined.

CONTRACT FOR TYRES AND TUBES

***806. Shri Nageshwar Prasad Sinha:** Will the Minister of **Works, Housing and Supply** be pleased to state what action is proposed to be taken against the firm which entered into a contract with Government for the purchase of tyres and tubes lying at Government's credit in Calcutta and Assam and which caused Government a loss of about Rupees 17½ lakhs?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): It has been decided not to have any dealings either with this firm or its proprietors.

Shri Nageshwar Prasad Sinha: May I know if the contract in the present case contained a legal flaw as has been reported by the Public Accounts Committee and if so, what enquiries were made by the Government to find out whether the flaw was deliberate or inadvertent?

Sardar Swaran Singh: I will require separate notice for that.

Shri N. M. Lingam: Is it a fact that these tyres and tubes subsequently caught fire and were destroyed?

Sardar Swaran Singh: There was a case of fire, but it is something which happened about seven, eight years ago.

Shri Joachim Alva *rose*—

Mr. Speaker: Next question.

FILMS

***807. Shri Nageshwar Prasad Sinha:** Will the Minister of **Information and Broadcasting** be pleased to state what precautions are taken to ensure that objectionable portions of films not certified by the Central Board of Film Censors are not subsequently interpolated and shown to the public?

The Minister of Information and Broadcasting (Dr. Keskar): (i) According to the latest rules framed under

the Cinematograph Act 1952, the following steps have been taken to ensure that uncertified cuts are not interpolated in films. The certificate in respect of a film, which is considered to be suitable for public exhibition subject to removal of certain portions, is issued after obtaining from the applicant a declaration to the effect that the portions objected to have been surrendered by him to the Central Board of Film Censors from all copies of the film in his possession.

(ii) The certificate so issued carries a triangle mark on its obverse and details of the excised portions on its reverse.

(iii) The details of excisions subject to which films are certified for public exhibition are also published every week in the *Gazette of India*.

(iv) The applicant has to deposit with the Board a print of the film as certified by the Board or a copy of its shooting script before the certificate is given to him.

Shri Nageshwar Prasad Sinha: How many of these interpolations have been brought to the notice of Government up till now, and what steps have been taken?

Dr. Keskar: As for giving the number of times that cases came to our notice, I would require a fresh notice of the question, but a few such cases have come to our notice. In fact, it was after a particular case was instituted in Court and the decision of the Court that we were obliged slightly to modify the Cinematograph Act, 1952.

Shri Nageshwar Prasad Sinha: We are told that the responsibility for deciding whether a film is or is not fit for public exhibition is entrusted to the Central Board of Film Censors. May I know whether the Members of the Board see each film individually or in a body in order to certify it?

Dr. Keskar: It is possible to get in detail this information from the Cinematograph Act, 1952, of which I will be very pleased to give a copy to my hon. friend.

INDO-CEYLON TEA PROMOTION COUNCIL

*808. **Shri N. M. Lingam:** (a) Will the Minister of **Commerce and Industry** be pleased to state whether it is a fact that the Indian Government have invited the Ceylon Government to join in the formation of an Indo-Ceylon tea promotion council?

(b) What are the terms of such a proposal?

(c) What would be the various activities of such a council?

(d) What is the reply received from the Ceylon Government?

(e) Are any other neighbouring countries also expected to join?

The Minister of Commerce (Shri Karmarkar): (a) to (e). The question of India and Ceylon setting up, in collaboration with other tea producing countries and the tea trade, Joint Tea Promotion Councils in the important consuming countries is now in the stage of negotiation.

Shrimati Renu Chakravartty: What are the other countries which are being approached to enter into this Council?

Shri Karmarkar: The principal tea producing countries, as the hon. Member knows, are India, Ceylon and Indonesia. At the present moment our negotiations are going on with Ceylon.

NATIONAL EXTENSION SERVICE SCHEME (BOMBAY)

*809. **Shri Dabhi:** Will the Minister of **Planning** be pleased to refer to starred question No. 748 asked on the 24th August, 1953 and state:

(a) whether the Bombay Government have made proposals regarding the areas to be selected for the operation of the National Extension Service Schemes.

(b) if so, which are the areas finally selected for the purpose;

(c) the recurring as well as non-recurring expenditure estimated to be incurred in each area; and

(d) the source or sources from which the expenditure is to be met?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes.

(b) Attention is invited to the cyclostyled pamphlet "Statements showing State-wise the number of areas selected and their locations during 1953-1954 in respect of Blocks under—

(1) National Extension Scheme; and

(2) Community Development Scheme.

Copies of the pamphlet are available in the Library of the House.

(c) Budget Estimates are awaited from the State Government.

(d) Attention is invited to the pamphlet on "Organisation of National Extension Service and expansion of Community Development Programme" copies of which are available in the Library of the House.

CHILDREN OF ABDUCTED MOTHERS

***810. Shri B. K. Das:** Will the **Prime Minister** be pleased to state:

(a) the number of children left by their abducted mothers who have been sent to Pakistan after their recovery; and

(b) the number of such children left unclaimed and the number taken charge of by the father or other relatives?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) The number of such children up to the 31st October, 1953 is: 1,400.

(b) (i) unclaimed: 21.

(ii) restored to abductor fathers or other relatives: 1,283.

Shri B. K. Das: What care is taken of these 21 children who are left unclaimed?

Shri Sadath Ali Khan: The unclaimed children were sent to the Children's National Institute, Allahabad, for good upbringing.

Shri B. K. Das: Is that Institute run by the Central Government?

Shri Sadath Ali Khan: I have no information on that.

The Minister of Rehabilitation (Shri A. P. Jain): I may say that the Institute is being run by a women's organisation.

Shri B. K. Das: What is the expenditure that is being incurred on these children?

Shri A. P. Jain: More than Rs. 30/- a month each.

Shri Ajit Singh: How many children were recovered in India, and how many of them have been sent to Pakistan?

Shri Sadath Ali Khan: Up to the 31st of October, 1953, 1,400 children were abandoned in the various detention camps at Amritsar, Jullundur, Jammu and Ferozepur by their abducted mothers who have been sent to Pakistan after their recovery. Out of these 76 died in the camps, 21 were left unclaimed, 1,283 were restored to the abductors (fathers) or other relatives and the remaining 20 are still in the camp at Amritsar awaiting restoration to their claimants.

Shri U. M. Trivedi: May I know, Sir, if all these children were born in India after partition, or before partition?

Shri Sadath Ali Khan: I have no information on that point.

Shri Ajit Singh *rose*—

Mr. Speaker: Next question.

BOMBAY STATE MITHAGAR KAMGAR FEDERATION

***811. Shri T. B. Vittal Rao:** (a) Will the Minister of **Production** be pleased to state whether it is a fact

that the Bombay State Mithagar Kamgar Federation had submitted a Memorandum to the Government in February, 1953?

(b) What action have Government taken or propose to take in order to redress the grievances enumerated in the Memorandum?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey): (a) Yes.

(b) A statement explaining the position relating to the points raised by the Federation is laid on the Table of the House. [*See* Appendix IV, annexure No. 30.]

Shri T. B. Vittal Rao: When was the memorandum received, and when will a decision be arrived at on the other points raised in the memorandum?

Shri R. G. Dubey: The Memorandum was received in February of this year by the Ministry of Labour. Subsequently it was referred to the Ministry of Production. Now I understand that matter is being handled by the Salt Commissioner. He has issued notices to the lessees.

Shri Nanadas: It appears from the first part of the statement that the absentee salt manufacturing licencees are not evincing proper interest in the maintenance of the salt works. May I know, Sir, whether it is under the contemplation of the Government not to issue fresh licences to such absentee licencees, and as and when the old licences expire to, allot the works to co-operative organisations?

The Minister of Production (Shri K. C. Reddy): These are all matters which have got to be considered in due course.

VILLAGE INDUSTRIES

*812. **Shri S. C. Samanta:** Will the Minister of **Commerce and Industry** be pleased to refer to the supplementaries to Starred Question No. 1741 asked on the 30th April, 1953 and state:

(a) whether the proposed research institute costing Rs. 5 lakhs has been set up;

(b) if so, how many small machines have been experimented there and sent for manufacture; and

(c) whether any more village industries have been taken up for development by the All-India Khadi and Village Industries Board in the meantime?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) Not yet.

(b) Does not arise.

(c) No, Sir.

Shri S. C. Samanta: In the last session the hon. Minister said that one oil-crushing machine brought from Japan was being multiplied here. May I know whether any other machines that have been brought from Japan are being multiplied?

Shri T. T. Krishnamachari: I would like to have notice.

Shri S. C. Samanta: May I know, Sir, whether Government is paying any attention to the renovation of the small machines that are used in villages?

Shri T. T. Krishnamachari: I am afraid the supplementary goes beyond the original question. I have not got this information.

Shri S. C. Samanta: May I know why so much delay is being caused in the establishment of this research institute?

Shri T. T. Krishnamachari: An officer for this purpose was appointed by the All-India Khadi and Village Industries Board in June and he has prepared a draft report which, I understand, will be considered by the Board at its next meeting.

C.P.W.D.

*813. **Shri M. S. Gurupadaswamy:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the categories and numbers of work-charged staff employed by C.P.W.D. on the construction of Storm Water Drains, Patel Nagar, New Delhi, contract-wise; and

(b) how many of them were discharged during construction and for what reasons?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): (a) and (b). I place on the Table of the House a statement containing the required information. [*See* Appendix IV, annexure No. 31.]

Shri M. S. Gurupadaswamy: May I know, Sir, whether the main reason for discharging these men from work is that they did not approve of the sub-standard work done by the contractors?

Sardar Swaran Singh: No, Sir.

Shri M. S. Gurupadaswamy: In certain cases, men have been turned out, on grounds of negligence in duty. May I know whether there is any specific type of negligence in duty, for which these persons have been sent out?

Sardar Swaran Singh: The standard of their work not coming up to the mark.

Shri V. P. Nayar: May I know whether it is not a fact that a work-charged *mistri* who had reported to Government of the sub-standard work of the contractor, and who had also reported that he had been tempted with bribes by the contractor, was later on dismissed?

Sardar Swaran Singh: I shall be able to answer that question, if the name of that complainant is given.

Shri V. P. Nayar: I can give the name, Sir.

Mr. Speaker: Not here.

INDIAN IRON AND STEEL CO., LTD.

*817. **Dr. M. M. Das:** Will the Minister of **Commerce and Industry** be pleased to state the total loss in production and its value suffered by the Indian Iron and Steel Co., Ltd., due to the strike and lock-out during 1953?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): About 88,000 tons of steel worth about Rs. 4 crores, based on the average monthly production of 1952.

Dr. M. M. Das: May I know whether any part of the plant of this steel manufacturing factory has been damaged due to non-use during these strikes?

Shri T. T. Krishnamachari: It is not a question of non-use, Sir. Due to misuse, certain parts in the factory were damaged and had to be repaired.

Dr. M. M. Das: What has been the cost of repairs?

Shri T. T. Krishnamachari: I have no information.

Dr. M. M. Das: May I know whether the increase in retention price of steel by Rs. 50 per ton, which the Government have imposed recently, will be able to make good the loss in the course of the current year?

Shri T. T. Krishnamachari: I fail to see the relation between the increase in the retention price, and the loss to this particular company. I do not think Government are responsible to make good the loss.

TEXTILE INDUSTRY

*818. **Shri Bhagwat Jha Azad:** (a) Will the Minister of **Commerce and Industry** be pleased to state whether the Central Advisory Council of Industries at its meeting held at New Delhi in the second week of October discussed the problems facing the textile industry?

(b) What was the result of the discussions?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) Yes, Sir. There was some discussion regarding the threatened closures.

(b) I invite attention of the hon. Member to the Press Communique dated the 24th October, 1953, a copy of which is laid on the Table of the House. [*See* Appendix IV, annexure No. 32.]

Shri Bhagwat Jha Azad: From the statement, it is apparent that Government have granted certain concessions to the mill-owners. May I know the cost of these concessions which have been extracted from Government by the mill-owners?

Shri T. T. Krishnamachari: The hon. Member mentioned 'extracted'. I am afraid I must join issue with him. No concessions were extracted. The concessions were made in order to help the cloth being lifted; and from that point of view, the position has been extremely satisfactory. We had somewhere about 4,24,000 bales in stock, at about this time when Government had to take action. Towards the end of last week, the stocks with mills all over India came down to 329,000 bales, and I understand in Bombay, particularly, the stocks today are less than three weeks' production.

Shri Bhagwat Jha Azad: May I know what action Government propose to take against those mills which have closed down without giving sufficient notice, with the result that a large number of workers have been laid unemployed?

Shri T. T. Krishnamachari: I am afraid the position is not as the hon. Member has stated. The effect of Government action has stopped the threatened closures to a very large extent. There were about twelve mills, I think, which closed down during October, but there were various reasons for their doing so. The number of workers thrown out has not been anything very big, excepting in the case of one mill in Kanpur, and another in Calcutta, but these two closed down for altogether different reasons, and not on account of accumulation of stocks.

Shri G. P. Sinha: May I know whether Government will take over the control of those mills which did not obey the Government's order in regard to closing down?

Shri T. T. Krishnamachari: No order was imposed.

INDO-PAKISTAN CONFERENCE

*819. **Shri Gidwani:** Will the Minister of **Rehabilitation** be pleased to state whether the Indo-Pakistan Conference between certain officers regarding settlement of claims of evacuees and the proper working of claims organisation held in Karachi in the middle of October has arrived at an agreement?

The Minister of Rehabilitation (Shri A. P. Jain): The conference was held with a view to devise ways and means to speed up the verification of claims of employees of Provincial Governments, States and Local Bodies, in respect pension, provident fund, pay, leave salary and security deposits through the Central Claims Organisation. The conference has made certain agreed recommendations in this behalf and these are awaiting the acceptance of the Pakistan Government. The Government of India have already accepted them and informed the Pakistan Government accordingly.

Shri Gidwani: In view of the fact that the Pakistan Government have been repeatedly delaying the settlement of the question, will the Government of India consider the advisability of taking action, if there is no reply from the Pakistan Government in the near future?

Shri A. P. Jain: The Government of India are continuously pressing the Pakistan Government to ratify these agreements.

Shri Gidwani: That I know. What I wanted to know was what our Government proposes to do, if the Pakistan Government refuses to ratify these agreements.

Mr. Speaker: The hon. Member means action against the Pakistan Government?

Shri Gidwani: No, Sir. There are claims both ways. We have to give something to them, and they have to give something to us, and we must somehow settle this question. If they do not want to settle it, and pay to the people who have not been paid so long, what action do our Government propose to take?

Shri A. P. Jain: In fact, we have already worked out a scheme for payment to the people here. Of course, the final verification depends upon Pakistan. No money is passing from one country to another, it is only a question of adjustment of accounts. In fact, by this delayed settlement, nobody is suffering, except that the accounts are not very clear, and things are not being finally settled.

Shri Bhagwat Jha Azad: The hon. Minister stated that it depends upon the Pakistan Government. May I know whether the attention of Government has been drawn to a statement by a Member of the Constituent Assembly of Pakistan that India is avoiding the ratification of these agreements?

Mr. Speaker: I think this question was put a few days back, and supplementaries also were put.

कागज

*८२०. **श्री रघुनाथ सिंह :** क्या **निर्माण गृह-व्यवस्था तथा रसद** मंत्री यह बतलाने की कृपा करेंगे :

(क) सरकार को प्रति वर्ष सरकारी कार्य के लिये कुल कितने हाथ के बने कागज की आवश्यकता होती है; और

(ख) क्या यह सत्य है कि सरकार ने अखिल भारतीय खादी तथा ग्रामोद्योग बोर्ड को १८६,६२५ रुपये का हाथ का बना कागज कादने आदेश दिया है ?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): (a) About 3,000 reams.

(b) Yes, Sir.

श्री रघुनाथ सिंह : कुल कितने रुपये के कागज की आवश्यकता सालाना हमारी सरकार को होती है ?

Sardar Swaran Singh: I have got figures relating to the quantities, but not the money equivalents thereof. If my hon. friend wants the quantities, I can give them. For the year 1952-53, the requirement was 24,046 tons.

श्री रघुनाथ सिंह : कितने टन के हाथ के बने हुए कागज का आर्डर गवर्नमेंट ने दिया ? अब इस तरह से बता दीजिये ।

Sardar Swaran Singh: I have already given the quantities in reams.

CASH VALUE OF STANDARD ACRE

*822. **Shri Gidwani:** (a) Will the Minister of **Rehabilitation** be pleased to state whether Government have decided as to what will be the cash value of the standard acre of agricultural land left by non-Punjabi displaced persons in West Pakistan?

(b) If so, what is the value fixed of each such acre?

The Minister of Rehabilitation (Shri A. P. Jain): (a) and (b). The matter is under consideration.

Shri Gidwani: Is it a fact that recently a conference of the representatives of displaced non-Punjabi Zamindars, was called, and their opinion was invited?

Shri A. P. Jain: No conference was called, but I invited some representatives of displaced persons, to have a talk with them.

Shri Gidwani: How long will it take to come to a final decision on this question?

Shri A. P. Jain: I cannot give any firm answer to that.

SALT

*824. **Seth Achal Singh:** Will the Minister of **Production** be pleased to state:

(a) whether there is control on the Khewra and Sambhar salt:

(b) if so, where; and

(c) whether Government are considering any proposal to throw this trade open to all shop-keepers in general so that it may be obtained in the market at cheaper rates?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey): (a) to (c). The import of rock salt from Khewra (Pakistan into India is not allowed under the Import Control Regulations.

The import, distribution and price of Sambhar salt within the States mentioned hereinafter are regulated either by executive orders, or Control Orders issued under the Essential Supplies (Temporary Powers) Act, 1946 in the Punjab, Uttar Pradesh, Bihar, Madhya Pradesh, Himachal Pradesh, PEPSU, Rajasthan, Delhi, Bhopal, Vindhya Pradesh, Ajmer, Madhya Bharat, Bilaspur and Assam.

Salt is imported into these States by the State Nominees who supply it to licensed retail dealers at prices fixed by the State Governments after taking into account all factors. The question of modifying the "Nominee" system in the light of the recommendations of the Committee on Commodity Controls is under the consideration of Government.

सेठ अचल सिंह : क्या गवर्नमेंट यह बताने की कृपा करेगी कि कंट्रोल के सम्बन्ध में नमक पर से कंट्रोल हटाने की क्या नीति है ?

श्री आर० जी० दुबे : मैं ने बताया कि कामोडिटी कंट्रोल कमेटी जो नियुक्त की गयी है वह इस सवाल पर सोच रही है और कामोडिटी कंट्रोल कमेटी ने जो कुछ रिकमंडेशनस की हैं, उन के बारे में गवर्नमेंट विचार कर रही है ।

सेठ अचल सिंह : क्या मंत्री महोदय बताने की कृपा करेंगे कि सांभर नमक साल भर में कितने टन होता है ?

श्री आर० जी० दुबे : यह फिगर्स तो मैं इस वक्त नहीं बता सकूंगा ।

Shri Kasliwal: Is it not a fact that India has already achieved self-sufficiency in salt?

Shri R. G. Dubey: It is true, Sir.

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): Not in Sambhar lake salt.

The Minister of Production (Shri K. C. Reddy): Not only self-sufficiency, but she is also in a position to export.

Shri U. M. Trivedi: May I know, Sir, if Khewra salt—salt looking like Khewra salt—is being manufactured in Delhi?

Shri R. G. Dubey: No, Sir.

Shri Muniswamy: May I know, Sir, in the case of salt which has become unfit for human consumption how it is disposed of?

Shri R. G. Dubey: Sir, as is known, the sodium chloride content of the salt for the current year is 94 per cent., and if it is found that a particular quantity of salt is below the standard, then it is declared unfit for consumption.

DISPLACED PERSONS IN HIRAKUD

*825. **Shri R. N. S. Deo:** Will the Minister of **Irrigation and Power** be pleased to refer to Starred Question

No. 2122 answered on the 13th May, 1953 and state:

(a) whether the examination of the proposals regarding reclamation and rehabilitation of displaced persons in the Hirakud Project Area has concluded; and

(b) if so, what is the nature of the proposals?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The proposals for the reclamation of land and the rehabilitation of displaced persons in the Hirakud Project Area, as approved by the Hirakud Control Board, are now under the consideration of the Government of Orissa.

(b) 80,000 acres of cultivable forest and waste land have been selected for reclamation and resettlement. Reclamation work consists of clearing these lands, preparing the fields for cultivation and excavating water reservoirs for irrigating them. In addition, amenities such as tanks for washing, wells, roads and communications, medical aid, schools for primary education etc. will be provided in every resettlement village. Culturable waste lands irrigable by canals in other parts have also been listed and mapped out. These are being allotted to the displaced persons who desire to have them in an unreclaimed condition. The reclamation work is being pushed through by means of machines and manual labour. Reasonable facilities for entering into trades and professions are being given to such persons desiring rehabilitation in these lines.

Shri R. N. S. Deo: May I know, Sir, the total acreage of land already reclaimed and the total expenditure incurred on the reclamation?

Shri Hathi: I have not got the figure actually, Sir, of the area reclaimed. But about 80,000 acres are to be reclaimed.

Shri R. N. S. Deo: May I know, Sir, out of about 20,000 families to be displaced by the Hirakud Project, how many families have been actually allotted land in this new reclaimed centre?

Shri Hathi: About 15,000 persons have been given compensation. So far as land is concerned, for house sites, lands are given free.

Shri R. N. S. Deo: My question was how many families had been allotted land in the new centres.

Shri Hathi: Land for cultivation or for house sites?

Shri R. N. S. Deo: Cultivation.

Shri Hathi: At present, Sir, the area has not yet been submerged. 978 families have applied for land and 346 have been given land.

Shri G. S. Singh: May I know, Sir, whether these 80,000 acres that are to be reclaimed, are to be reclaimed by the Hirakud Project authorities or by the Central Tractor Organisation?

Shri Hathi: Not by the Central Tractor Organisation but by the State Government.

ANTI-INDIAN PROPAGANDA IN TURKEY

*827. **Shri Kasliwal:** Will the **Prime Minister** be pleased to state:

(a) whether Pakistan is carrying on an anti-Indian propaganda in Turkey; and

(b) if so, what steps Government have taken in the matter?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). Some anti-Indian propaganda by Pakistan has taken place in Turkey from time to time. The Embassy of India in Turkey has taken steps, which are normally open to diplomatic missions, to counteract this propaganda. Misleading statements about India have been corrected by issuing contradictions in the press and by giving correct information to editors of newspapers. It may be added that the people as well as the press of Turkey are generally friendly to India and have not been influenced much by adverse propaganda.

Shri Kasliwal: May I know, Sir, if this propaganda was being done with a view to preparing the ground

for a US-Pakistan-Turkey military alliance knowing fully well India's opposition to such a plan?

Shri Sadath Ali Khan: We are not aware of the motive behind this propaganda.

श्री रघुनाथ सिंह : यह प्रोपेगेंडा जो कि टर्की में हुआ है, वह राजनैतिक आधार पर हुआ है या धार्मिक आधार पर किया गया है, धार्मिक भावना के संग है या राजनैतिक भावना के ?

प्रधान मंत्री (श्री जवाहरलाल नेहरू) : जहां तक हमें मालूम है, राजनैतिक आधार पर हुआ है, कभी कभी उस में दूसरा इशारा हो तो यकायक कहा नहीं जा सकता ।

Shri G. P. Sinha *rose,—*

Mr. Speaker: Order, order.

Dr. Suresh Chandra: Are the Government aware of anti-Indian propaganda generally in all the Middle East countries, and if so, what special measures are taken by the Government to check it?

Shri Sadath Ali Khan: Yes, Sir. Government are aware of this and the normal measures we take is to counteract it and to present the facts correctly to our Missions and to the people in those countries.

Dr. Suresh Chandra: In what way?

Shri Jawaharlal Nehru: May I add, Sir, lest there be any misapprehension in this House, that while there is of course anti-Indian propaganda there, the general feeling in the Middle Eastern countries is very friendly to India.

नमक का परिवहन भाड़ा

*८२८. **श्री बीरबल सिंह** : क्या उत्पादन मंत्री यह बतलाने की कृपा करेंगे :

(क) क्या बम्बई के नमक उत्पादक संघ ने केन्द्रीय सरकार से यह अपील की है कि तटवर्ती नगरों में नमक पहुंचाने का भाड़ा इतना कम कर देना चाहिये कि वह विश्व के भाड़ा-व्यय के समरूप हो जाये;

(ख) क्या यह सत्य है कि नमक इस कारण महंगा पड़ता है क्योंकि इसे पहले स्टीमर द्वारा कलकत्ता भेजा जाता है और वहां से उत्तर प्रदेश, बिहार, बंगाल, उड़ीसा और आसाम भेजा जाता है; और

(ग) क्या संघ का यह सुझाव, कि यदि भाड़ा कम न किया जा सके तो नमक उत्पादकों को यह सुविधा दी जाये कि भारतीय या विदेशी जहाज कम्पनियों से माल ढुलवाने का वे स्वयं प्रबन्ध करें, सरकार को मान्य होगा ?

The Minister of Production (Shri K. C. Reddy): (a) Such a representation has been received from the Indian Salt Manufacturers' Association, Bombay.

(b) Yes.

(c) Primarily, it is for the Association to negotiate collectively with the Indian Coastal Conference for a reduction in the freight rates. Government do not consider it desirable in the interests of the salt trade as well as Indian Shipping to allow the Shippers of Salt to make individual arrangements with foreign or Indian Shipping Companies. This position has been explained to the Association.

Shri Birbal Singh: What will be the amount of loss to the Government by the reduction of transport charges to the level of the world freight rates?

Shri K. C. Reddy: To the level of?

Mr. Speaker: I think, he means what will be the loss by reducing the transport charges?

Shri K. C. Reddy: Railway charges? Sir, salt is being transported by sea because of difficulties of rail transport. The Railways are not in a position to give all the necessary wagons to move all this quantity of salt from Saurashtra to Calcutta.

Shri Raghunath Singh: Is it a fact that the freight charges are affecting our export of salt to foreign countries?

Shri K. C. Reddy: I do not think so, Sir.

Shri Nanadas: May I know, Sir, the freight charges in India and the world freight charges?

Shri K. C. Reddy: I have not got the figures here.

IRON AND MANGANESE ORE

*829. **Shri Muniswamy:** (a) Will the Minister of **Commerce and Industry** be pleased to state whether iron and manganese ore are exported through the Madras Port?

(b) If so, what is the procedure to be followed in exporting them through the Madras Port?

(c) What is the total quantity of these materials in stock in Madras State at present?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) Yes, Sir.

(b) Exports are licensed freely, provided the stocks are ready at the port for shipment.

(c) Iron and Manganese ores are not mined in the Madras State, as it is today. The following approximate quantities of these ores received from the mines in the Mysore and the Andhra States were awaiting shipment in Madras at the beginning of this month.

Iron ore	—	31,257 tons.
Manganese ore	—	15,998 tons.

Shri Muniswamy: May I know, Sir, whether it is a fact that there are no adequate facilities in the Madras port as are available in Calcutta?

Shri T. T. Krishnamachari: I am afraid, Sir, I have no information.

Shri Muniswamy: May I know, Sir, whether it is a fact that we have got an abundance of this iron ore in our country?

Shri T. T. Krishnamachari: Yes, it is a fact, Sir.

Dr. Suresh Chandra: To which country the manganese ore and iron are mainly exported?

Shri T. T. Krishnamachari: Notice, Sir.

Shri C. R. Narasimhan: Is there any programme to utilise the ore in India rather than depend upon exports alone?

Shri T. T. Krishnamachari: There is a programme not to utilise it but to convert it into ferro-manganese in India.

FILM DIVISION AND DOCUMENTARIES

*830. **Shri Muniswamy:** (a) Will the Minister of **Information and Broadcasting** be pleased to state when the Film Division of the Government of India was opened?

(b) Will Government lay on the Table of the House the number of documentaries produced in various languages of our country till now?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Sanction for setting up the Films Division was accorded in January 1948; regular distribution of documentaries and newsreels commenced in June 1949.

(b) A list of films released by the Films Division up to the end of February 1953, indicating, *inter alia*, the languages in which they were produced was laid on the Table of the House in reply to part (b) of Unstarred Question No. 423 by Shri Badshah Gupta on the 6th March, 1953. A list of films released from 1st March 1953 up to the end of November 1953 is now laid on the Table of the House. [*See* Appendix IV, annexure No. 33.]

Shri Muniswamy: May I know, in the preparation of these documentaries, does the Central Government consult the State Governments?

Dr. Keskar: No, Sir. Most of the State Governments have their own units or they make their own arrangements for producing documentaries.

Shri Muniswamy: May I know, Sir how many of these documentaries are being sent abroad?

Dr. Keskar: I would require notice, but we do send through the External Affairs Ministry a considerable number of copies abroad.

Shri N. M. Lingam: May I know the principle observed in choosing the subjects for these documentaries?

Dr. Keskar: Sir, it will be difficult for me to say at once what are the various factors that are kept in view. But two main factors are that the subjects should be interesting and intelligible and secondly it should be able to demonstrate in an effective way the various national and constructive activities undertaken by Government.

Dr. Suresh Chandra: Is it a fact that the best documentaries were produced by foreigners and not by the Films Division?

Dr. Keskar: I am unable to agree, Sir.

Mr. Speaker: It is a matter of opinion.

"THE MARCH OF INDIA"

*831. **Shri Muniswamy:** (a) Will the Minister of **Information and Broadcasting** be pleased to state since when "The March of India" is being published by the Publications Division of the Ministry of Information and Broadcasting?

(b) How many copies are published in one issue and how are they distributed?

(c) Does "The March of India" find a good market abroad?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Since July 1948.

(b) Number of copies published per issue. . . .4,368 copies.

Number of copies sold in India and issue. . . .4,368 copies.

Number of copies distributed free ....517 copies.

(c) About 2,600 copies of each issue are sold abroad.

Shri Muniswamy: May I know whether Government officials are permitted to contribute articles to this 'March of India'?

Dr. Keskar: About contribution of articles by Government officials, the rules are not special for this particular magazine; they are common to most magazines. They are allowed to contribute articles not only to this particular one but to others also which are non-government ones under certain conditions.

Shri Muniswamy: May I know whether, in the case of Government servants who contribute articles to this magazine, the Government pays them anything?

Dr. Keskar: I would require notice.

Shri S. N. Das: Why is 'March of India' not progressing with the march of time?

Shri S. V. Ramaswamy: Is the publication of this journal self-balancing or is there any loss?

Dr. Keskar: The main object of the journal is to show to foreign countries the march of India; as such, I do not feel that the journal can be considered to be, from the commercial point of view, self-balancing. I won't be able to say at a glance what the profit and loss account is. I will require notice of that.

UREA AND AMMONIUM NITRATE PLANTS

*832. **Pandit C. N. Malviya:** Will the Minister of **Production** be pleased to state:

(a) whether it is a fact that the Government of India have asked five foreign firms to submit tenders for the establishment of Urea and Ammonium Nitrate plants at Sindri; and

(b) if so, (i) the names of the firms and the names of the countries to which they belong and (ii) the conditions of tenders?

The Minister of Production (Shri K. C. Reddy): (a) and (b). Yes. The following five firms have been asked to submit tenders:—

(1) Messrs. Chemical Construction Corporation, New York-1, U.S.A.

(2) Messrs. Badische Anilin & Soda Fabric AG, Ludwigshafen a. Rhen Direktion, West Germany.

(3) Messrs. Montecatini, Milan, Italy.

(4) Messrs. Friedrich Uhde, G.m.b.H., Dortmund, West Germany.

(5) Messrs. Kellogg & Company, New York, U.S.A.

A copy of the Notice inviting tenders is laid on the Table of the House. [*See* Appendix IV, annexure No. 34.]

Pandit C. N. Malviya: May I know, Sir, whether any tenders have been submitted by this time?

Shri K. C. Reddy: No, Sir; the tenders are expected to be submitted by 15th February, 1954.

Pandit C. N. Malviya: May I know, Sir, why only these companies have been invited to submit tenders and why not others?

Shri K. C. Reddy: Sir, the Tehnical Mission which went into this question made a recommendation, after a thorough study of the whole thing, that invitations may be issued to these 5 firms. It was a specific recommendation of the Mission that the Government accepted and acted upon.

Dr. Suresh Chandra: May I know how much loss has the country suffered due to the non-establishment of these plants so far?

Shri K. C. Reddy: It is very difficult to give an answer to that question.

Dr. Suresh Chandra: Why is it difficult to give an answer?

Mr. Speaker: No argument, please.

SALT

*833. **Shri Nanadas:** (a) Will the Minister of **Production** be pleased to state what is the total quantity of salt produced by the non-licensees in the Andhra State during the years 1951, 1952 and 1953?

(b) What are the steps taken by Government to ensure that the salt produced by the non-licensees, outside factories areas comes up to the standards prescribed by Government?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey): (a) 1951....7,78,000 maunds.

1952....11,35,000 maunds.

1953....15,82,000 maunds (up to October 1953).

(b) The matter is under the active consideration of Government.

Shri Nanadas: May I know, Sir, whether the Government have received any representation from the salt licensees that the salt produced by the non-licensees is in cut-throat competition with the salt produced by the licensees?

Shri R. G. Dubey: Yes, Sir, several representations.

Shri Nanadas: In view of the fact that the salt manufacturing season is fast approaching, may I know what steps the Government propose to take immediately to see that the salt produced by the non-licensees will come up to the standards prescribed?

Shri R. G. Dubey: As I said, this matter is engaging the attention of the Government.

Shrimati Tarkeshwari Sinha: May I know, Sir, whether the Salt Advisory Committee have recommended to the Government of India to take immediate steps to control unlicensed production of salt and may I also know what the Government propose to do in regard to that?

The Minister of Production (Shri K. C. Reddy): Sir, I may answer that question by a reference to the history of the salt manufacture in our country. Owing to the Gandhi-Irwin Pact and the agreement arrived at we have had to adopt a certain policy with regard to the manufacture of salt. Later on the Government of India issued a Press Communique in 1947 making it possible for the manufacture of salt in areas of 10 acres and less without any licence. But

latterly certain abuses have crept in in the actual working of this policy and the Government of India are going into that question thoroughly. They have invited the opinions of the various State Governments and some State Governments have given their reactions. We are awaiting proposals from other State Governments. As soon as those are received, we propose to go into this matter thoroughly and take necessary steps.

EXCESS ALLOTMENT OF HOUSES AND SHOPS

*834. **Shri B. C. Das:** Will the Minister of **Rehabilitation** be pleased to state:

(a) whether the Ministry of Rehabilitation invited in May, 1952, applications containing details of the cases of excess allotment of houses and shops along with postal orders of Rs. 20 liable to be forfeited if the information was found to be wrong;

(b) what was the result of this invitation:

(c) whether Government's attention has been drawn to a letter published in the *Times of India* (Delhi edition), dated, the 18th November, 1953, under the caption 'Sub-letting encouraged'; and

(d) if the allegations made in that letter are true, what action, if any, Government propose to take in the matter?

The Minister of Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) 536 applications pertaining to houses, tenements and shops constructed in the Rehabilitation Colonies in Delhi were received.

(c) Yes.

(d) The allegations made in that letter are incorrect. 476 applications have already been examined and the remaining 60 are under examination. Where it is proved that the sub-tenants have been paying rent to the allottees, they are not asked to pay the rent over again before their occupation is regularised. Rent is demanded from sub-tenants only in cases where it is not proved that the sub-tenants have been paying rents to the allottees.

Shri B. C. Das: May I know why no action has been taken against the defaulters?

Shri A. P. Jain: I do not know, Sir, how this question arises. The question related to certain allottees who have sub-let their houses, where we were concerned with the allotments.

Shri B. C. Das: May I know whether they are demanding the entire rent instead of rent for the portion occupied by the sub-tenants?

Shri A. P. Jain: No; in cases where it is established that a part of the tenement has been sub-let we demand rent only for that portion which is sub-let.

DIRECTORS AND DEPUTY DIRECTORS IN I. AND B. MINISTRY

*835. **Shri S. C. Samanta:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the number of departments that are under the Ministry and how many Directors and Deputy Directors are employed therein; and

(b) how many of the present Directors were appointed through U.P.S.C. and how many came to occupy the position by promotion?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). A statement furnishing the information is laid on the Table of the House. [*See* Appendix IV, annexure No. 35.]

Shri S. C. Samanta: May I know, Sir, how many Directorates were there in 1947?

Dr. Keskar: Sir, I will require notice to give the history of the directorates.

Shri Nanadas: From the statement it appears that two Directors were not selected by the UPSC nor were they promoted. May I know how they have been appointed?

Dr. Keskar: No Director or Deputy or any other official who was not confirmed by the UPSC can continue. Even those who were not recruited through the UPSC, because the procedure for recruitment in the All India Radio had varied, were later confirmed ultimately with the recommendation of the UPSC.

Mr. Speaker: The Question-hour is over.

WRITTEN ANSWERS TO QUESTIONS

B.B.C.

*814. { **Shri B. S. Murthy:** **Shri Punnoose:**

(a) Will the **Prime Minister** be pleased to state how many employees of the Indian High Commissioner's Office in U.K. took part in the Broadcasting Programmes of the B.B.C. during the past one year?

(b) Were the speeches which they made on the B.B.C. previously approved of and checked by the High Commissioner?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Nine.

(b) Yes, officers are required to take permission before they broadcast and, whenever possible, the script is seen at the time of giving permission.

Shell Houses

*815. **Shri Punnoose:** (a) Will the Minister of **Works, Housing and Supply** be pleased to state whether the attention of Government has been drawn to the reports of a discovery in Travancore Cochin State of a new method of constructing houses with coconut shell?

(b) Have Government made any enquiries regarding the feasibility of utilising this method for building cheap houses?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): (a) Yes, Sir.

(b) Yes, Sir.

Steel Project

*816. **Shri H. N. Mukerjee:** Will the Minister of **Production** be pleased to lay a copy of the agreement concluded with the German Combine, Krupps and Demag for the establishment of the Government-sponsored Steel Project in India on the Table of the House?

The Minister of Production (Shri K. C. Reddy): It is not possible at this stage to lay on the Table of the House a copy of the agreement signed by the Government as details of it are presently under discussion with the Combine. It is proposed, however to place the agreement and all connected papers on the Table of the House as soon as the detailed discussions, now in progress, are concluded.

Tea Board

*821. **Shri Gopala Rao:** Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to starred question No. 1152 asked on the 9th September, 1953 and state:

(a) whether the Tea Board has been constituted under the Tea Act of 1953;

(b) if not, when it is expected to be constituted; and

(c) what is the number of representatives that is going to be assigned to various interests?

The Minister of Commerce (Shri Karmarkar): (a) Not yet, Sir.

(b) It is expected to be constituted shortly.

(c) This matter is still under consideration.

Development Schemes

*823. **Shri Heda:** (a) Will the Minister of **Planning** be pleased to state whether any Part A or Part B State has taken in hand any development

Scheme not included in the Five Year Plan?

(b) Which States have taken up these Schemes and what is the estimated expenditure?

(c) Do these additional Schemes qualify for any loan or aid being given to State Governments by the Central Government?

The Minister of Planning and Irrigation and Power (Shri Nanda): (a) and (b). Steps are being taken to collect the requisite information and a statement will be laid on the Table of the House in due course.

(c) No; only schemes which are included in the Plan are eligible for assistance from the Central Government.

DISTRIBUTION OF RAW MATERIALS

***826. Shri N. P. Damodaran:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the active steps taken by the Development Wing of the Ministry to ensure the equitable distribution of scarce raw materials such as sulphur, iron and steel to different industries; and

(b) what is the effect of the said steps taken?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) Among the more important industrial raw materials which may still be regarded as "Scarce Raw Materials" are Pig Iron, Steel and Cement. A statement showing the present system of distribution of supplies available from time to time is laid on the Table of the House. [*See* Appendix IV, annexure No. 36.]

(b) By controlling the distribution of these materials, Government have been able to ensure that the various industries receive supplies according to their importance and that the units in the same group of industry receive equitable treatment.

GERANIUM OIL

***836. Shri Viswanatha Reddy:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the quantity and value of geranium oil imported into India during the past three years;

(b) whether it is a fact that there is a general trend of increasing consumption of this oil in our indigenous industries; and

(c) if so, whether any efforts are being made to increase the production of indigenous geranium oil?

The Minister of Commerce (Shri Karmarkar): (a) Information is not available, as the import of this item is not shown separately in the Trade Accounts.

(b) The general trend appears to be so, Sir.

(c) The Madras Government are understood to be encouraging the production of geranium oil.

COMPENSATION TO DISPLACED PERSONS

***837. Shri Bhagwat Jha Azad:** Will the Minister of **Rehabilitation** be pleased to state:

(a) how many displaced persons are likely to be benefited by the scheme of payment of compensation; and

(b) the total amount to be distributed?

The Minister of Rehabilitation (Shri A. P. Jain): (a) About 50,000.

(b) No estimate is yet available of the total amount required for cash payments.

TARGET FOR EXPORT OF CLOTH

***838. Shri K. C. Sodhia:** Will the Minister of **Commerce and Industry** be pleased to state what quantities of each variety of super-fine, fine, medium and coarse cloth comprise the target for the export of cloth from this country?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): Targets for exports were not fixed separately for each category of cloth.

WOOL

*839. **Shri Karni Singhji:** (a) Will the Minister of **Commerce and Industry** be pleased to state the annual production of wool in India and how much is consumed?

(b) What is the total annual consumption?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) No precise information about the production of raw wool in India is available. It has, however, been estimated that the production will be about 50 million lbs. per annum and the consumption of indigenous wool about 25 million lbs. per annum.

(b) The total annual consumption of wool in India is estimated to be 35.25 million lbs. inclusive of imported wool, wool tops, worsted yarn, etc.

INDIAN CO-OPERATIVE UNION LTD.

*840. **Shri M. L. Agrawal:** (a) Will the Minister of **Rehabilitation** be pleased to refer to reply to starred question No. 1397 on the 17th April, 1953 and state whether the special officer has examined the accounts relating to the loan of Rs. 24 lakhs and if so, has the said officer submitted his report?

(b) What are the main findings of the special officer?

(c) Will Government lay a copy of his report on the Table of the House?

(d) What are the prospects of the realization of the loan of Rs. 24 lakhs from the Indian Co-operative Union Limited?

The Minister of Rehabilitation (Shri A. P. Jain): (a) A preliminary report relating to the balance-sheet of the Indian Co-operative Union Ltd. as on 30th June, 1952 prepared by the Special Officer is under examination. His final report covering the subsequent accounts relating to the loan of Rs. 24 lakhs has not yet been received.

(b) and (c). Do not arise.

(d) It is not possible to assess the prospects of the realisation of the loan of Rs. 24 lakhs till the final report of the special officer has been examined and decision taken.

NATIONAL EXTENSION SCHEME FOR WEST BENGAL

*841. **Shri N. B. Chowdhury:** Will the Minister of **Planning** be pleased to lay on the Table of the House a statement showing the details of National Extension Scheme for West Bengal and state what amount has been allocated to the State during the current financial year for the execution of the above Scheme?

The Deputy Minister of Irrigation and Power (Shri Hathi): Six National Extension Service Development Blocks have been allotted to West Bengal for 1953-54. Details of areas, programmes and budget estimates are awaited from the State Government. Allotment of Funds will be made thereafter.

EXPORT OF RARE EARTH MINERALS FROM GOA

382. **Shri U. M. Trivedi:** (a) Will the **Prime Minister** be pleased to state whether rare earth **minerals** are being exported from Goa after being smuggled from India?

(b) What steps do Government propose to take in the matter?

The Prime Minister (Shri Jawaharlal Nehru): (a) and (b). No, Sir, There is little chance of any such smuggling taking place on a considerable scale.

INSTALLED CAPACITY OF INDUSTRIES

383. **Shri S. N. Mishra:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Ministries of Commerce and Industry, Railways and

Defence have already undertaken enquiries in collaboration with the three representatives of private firms for collecting data about the full installed capacities of industries in the country; and

(b) if so, the number and names of industries surveyed so far?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) A Committee consisting of three officials from Ministries of Commerce and Industry, Railways and Defence and four non-officials representing industry has been constituted to undertake a preliminary survey of capacity lying idle at present in the Engineering Industries in the country.

(b) In order to collect necessary data, the Committee has, for the present, constituted five panels *viz.*, for

(1) Structural Industry.

(2) Machine Tool Industry.

(3) Textile Machinery Industry (including Jute, Silk and Rayon).

(4) Foundry Industry, and

(5) Die-making Industry.

The work of these Panels is in progress.

हड्डियां (निर्यात)

३८४. **श्री रघुनाथ सिंह :** क्या **वाणिज्य तथा उद्योग** मंत्री यह बतलाने की कृपा करेंगे :

(क) चालू वर्ष में अब तक भारत से कितनी और कितने मूल्य की हड्डियों का निर्यात किया गया;

(ख) किन किन देशों को हड्डियों का निर्यात किया गया;

(ग) क्या हड्डियों के बने सामान का आयात भारत में होता है;

(घ) यदि हां, तो १९५३ में अब तक कितनी मात्रा में और कितने मूल्य के ऐसे सामान का आयात किया गया; और

(ङ) किन किन देशों से ऐसे सामान का आयात किया जाता है ?

The Minister of Commerce (Shri Karmarkar): (a) and (b). Export of raw bones and bonemeal is prohibited. Only crushed bones and bone grist are allowed for export. A country-wise statement showing their exports during the current year (January—September) is attached. [*See* Appendix IV, annexure No. 37.]

(c) Nil.

(d) and (e). Do not arise.

Timber (Export)

385. Shri Brohmo-Choudhury: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the total quantities of timber exported to East Pakistan from Assam during 1950-51, 1951-52, 1952-53; and

(b) the value of such exports?

The Minister of Commerce (Shri Karmarkar): (a) and (b). A statement is attached. [*See* Appendix IV, annexure No. 38.]

Production of *Dhoties*

386. { Shri H. G. Vaishnav: Shri Kirolikar:

(a) Will the Minister of **Commerce and Industry** be pleased to state how many textile mills contravened Government Order of January 1953 restricting the production of Dhoties by mills to 60 per cent. and produced *Dhoties* in excess of their quota?

(b) What was the excess quantity produced by these mills till the end of October 1953?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) For the period February-October 1953—173 of which 111 are marginal cases.

(b) 21,945 bales including excess production of marginal units during the same period.

THE
PARLIAMENTARY DEBATES
(Part II—Proceedings other than Questions and Answers)
OFFICIAL REPORT

Acc. No. 252
Dated 25-11-

HOUSE OF THE PEOPLE

Thursday, 10th December, 1953

The House met at Half Past One of the Clock.

[MR. SPEAKER *in the Chair.*]

QUESTIONS AND ANSWERS

(See Part I)

2-30 P.M.

PAPERS LAID ON THE TABLE

REPORTS *re* TITANIUM DIOXIDE INDUSTRY

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to lay on the Table a copy of each of the following papers, under sub-section (2) of section 16 of the Tariff Commission Act, 1951:—

(i) Report of the Tariff Commission on the Titanium Dioxide Industry, 1953 (together with Corrigendum and Revised Appendix IV).

(ii) Final Report as contained in letter No. TC/ID/E/89, dated the 12th November 1953 of the Tariff Commission incorporating certain amendments to the Report of the Tariff Commission on the Titanium Dioxide Industry, 1953.

(iii) Ministry of Commerce and Industry Resolution No. 8(10)—T.B./52 dated the 9th December, 1953.

[*Placed in Library. See* No. S—201/53]

INDIAN TARIFF (THIRD AMENDMENT) BILL

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to move for leave to introduce a Bill further to amend the Indian Tariff Act, 1934.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Tariff Act, 1934."

The motion was adopted.

Shri T. T. Krishnamachari: I introduce* the Bill.

CANTONMENTS (AMENDMENT) BILL—*concld.*

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved yesterday by Sardar Surjit Singh Majithia—

"That the Bill further to amend the Cantonments Act, 1924, as passed by the Council of States, be taken into consideration."

सेठ गोविन्द दास (मंडला-जबलपुर—दक्षिण) : अध्यक्ष महोदय, मैं समझता हूं कि यह बात सभी लोग जानते हैं कि मैं वर्तमान सरकार का बहुत बड़ा समर्थक हूं । इसलिये जब मैं इस प्रकार का विधेयक देखता हूं कि

*Introduced with the recommendations of the President.

[सेठ गोविन्द दास]

जिस प्रकार का यह विधेयक यहां पर उपस्थित किया गया है, तब मुझे और अधिक दुःख होता है । लगभग ३० वर्षों से मैं केन्दीय धारा सभाओं का सदस्य रहा हूं और यह विधेयक देखकर मुझे, जिस समय हम लोग परतन्त्र थे उस समय का स्मरण हो आता है उस समय इस बात का निरन्तर प्रयत्न किया जाता था कि छावनियों को अन्य स्थानों से सर्वथा अलग रखा जाय और उस सरकार का इसमें बहुत बड़ा स्वार्थ था। वह सरकार अपना राज्य इस देश में इस देश के निवासियों के इच्छा के विरुद्ध कायम रखना चाहती थी ।

[MR. DEPUTY-SPEAKER *in the Chair.*]

वह राज्य केवल जबरदस्ती से कायम रह सकता था और फौज और पुलिस दो ऐसी शक्तियां थीं कि जो उस राज्य को इस देश के निवासियों की इच्छा के विरुद्ध कायम रखने में उस समय की सरकार को हर प्रकार की पूरी पूरी सहायतायें देती थी । लेकिन अब समय बदल गया है और समय बदले भी थोड़ा समय नहीं बीता है । छटवां बरस हमारे स्वराज्य को है और ६ बरस के बाद छावनियों के सम्बन्ध में इस प्रकार का विधेयक हमारी प्रजातन्त्रात्मक राष्ट्रीय सरकार इस भवन में उपस्थित करेगी इसकी मैं कल्पना भी नहीं कर सकता था ।

इस विधेयक को जब मैं ने पढ़ा तब मुझे इस देश की एक कहावत का स्मरण हो आया कि गधे को आप कितना ही धोइये वह घोड़ा नहीं बन सकता । जहां तक यह विधेयक है वहां तक यही स्थिति है । इसमें कोई सुधार नहीं किया जा सकता इतने पर भी श्री गाडगिल साहब ने, कि जो कैन्टोनमेन्ट बोर्ड के बहुत वर्षों तक सभापति रहे, इसे धोने का प्रयत्न किया । चूंकि मैं भी एक ऐसे स्थान से आता हूं कि जो बहुत बड़ी छावनी है, जबलपुर, इसलिये मैंने भी इस सम्बन्ध में उनका साथ दिया और इस विधेयक पर कुछ सुधार भेजे । परन्तु मुझे बहुत दुःख है कि हमारे माननीय मंत्री महोदय उन सुधारों को मंजूर नहीं कर सके । जब मैं ने देखा कि हमारी सरकार ही उन सुधारों को स्वीकार नहीं करती तो फिर मैं ने यह उचित नहीं समझा कि उन सुधारों को मैं यहां पर भेजूं ।

इस विधेयक की तैयारी के पहले जो स्थिति थी उस ओर हमें थोड़ा ध्यान देना चाहिये । जब यह विधेयक यहां पर लाया गया उस समय हमारी इन छावनियों को प्रजातांत्रिक छावनियां बनाया जाय इस पर बहुत आन्दोलन चल रहा था । यह आन्दोलन स्वराज्य स्थापित होने के बाद चला यह नहीं, स्वराज्य स्थापित होने के पहले ही चल रहा था और वह आन्दोलन स्वराज्य स्थापित होने के बाद भी चलता रहा । तब छावनियों के कानूनों में कुछ परिवर्तन करने के लिये सरकार का विचार हुआ । एक कमेटी बनाई गई उस कमेटी को बने तीन वर्ष से अधिक का समय बीत गया । अब मैं यह जानना चाहता हूं कि इन तीन वर्षों में उस कमेटी के सदस्य किस किस छावनी में गये, किस किस से उन्होंने इस विधेयक के सम्बन्ध में सलाह ली? जो सरकार प्रजातांत्रिक सरकार है उस सरकार का काम तब तक चल नहीं सकता जब तक कि इस देश की प्रजा की राय से सब काम न किया जाय । मैं आपसे, उपाध्यक्ष महोदय, कहना चाहता हूं कि जहां तक इस विधेयक का सम्बन्ध है वहां तक यह कमेटी किसी छावनी में नहीं गयी । किसी की राय इस पर नहीं ली गयी और दिल्ली में तीन वर्ष के बाद

यह विधेयक उपस्थित किया गया जो इस दूसरी कहावत को चरितार्थ करता है कि पहाड़ खोदने के बाद एक छोटी सी चुहिया उसमें से निकली। यहां पर भी इस विधेयक के सम्बन्ध में यथार्थ में कुछ नहीं हुआ। तीन वर्षों में शायद इस पर दो चार घंटे से अधिक विचार नहीं किया गया होगा। थोड़ा बहुत विचार करके एक इस तरह की चीज हमारे सामने आ गयी कि जिसके सम्बन्ध में मैं ने अभी आपसे कहा कि गधे को चाहे कितना ही धोया जाय वह घोड़ा नहीं बन सकता। जो कैन्टोनमेन्ट बोर्ड इतने वर्षों से इस देश में काम करता था और अभी भी काम कर रहा है उस कैन्टोनमेंट बोर्ड ने इस सम्बन्ध में लम्बी लम्बी सिफारिशें भेजीं और मेरे पास उनमें से कुछ मौजूद हैं। लेकिन उन पर भी कोई विचार नहीं हुआ। मालूम होता है वे सब भी यहां पर रद्दी की टोकरी में फेंक दी गयीं।

हम प्रजातंत्र में विश्वास करते हैं। इस देश के सारे शासन को हम प्रजातंत्र के आधार पर चलाना चाहते हैं। मैं अभी तमाम दुनिया को देख कर आया हूं। तमाम दुनिया इस बात को देख रही है कि हमारे देश में प्रजातंत्र किस प्रकार से चलता है क्योंकि प्रजातंत्र का इतना बड़ा प्रयोग कि जितना बड़ा हमारे देश में हो रहा है आज तक दुनिया के मानव इतिहास में कहीं भी नहीं हुआ है। उस प्रजातंत्र में विश्वास करने वाले छावनियों में किसी प्रकार का प्रजातंत्र न रहे इसके समर्थक कैसे हो सकते हैं। मैं इस बात को समझता हूं कि जहां तक फौज का मामला है वहां तक पूरा प्रजातंत्र फौजी कामों में लागू नहीं किया जा सकता। फौजी बस्तियों में आप पूरा प्रजातंत्र लागू न कीजिये परन्तु फौजी बस्तियों के सिवा छावनियों में दूसरी बस्तियां भी हैं। उन बस्तियों का जहां तक सम्बन्ध है वहां आप प्रजातंत्र को लागू न करें इस के लिए आपको क्या बहाना हो सकता है, यह मेरी समझ में नहीं आता? यदि आप प्रजातंत्र में विश्वास करते हैं तो मैं आप से कहना चाहता हूं कि जहां तक फौजी बस्तियों को छोड़ कर बाकी बस्तियों का सवाल है वहां तक आप को प्रजातंत्र को पूरा लागू करना चाहिए। जो बाजार कमेटियां बनाने के बारे में प्रस्ताव आ चुके हैं उन पर आपको विचार करना चाहिए और उन बाजार कमेटियों को आपको पूरे पूरे अधिकार देने चाहिएं।

फिर हम जमीन के सवाल को लें। छावनियों में बहुत सी जमीन ऐसी है कि जो फौज के काम में नहीं आती। ऐसी जो जमीन वहां पर है वह या तो वहां के जो दूसरे निवासी हैं उन के बंगलों और मकानों के काम आती है या खेती के काम आती है। अब जहां तक इन बंगलों का सम्बन्ध है मैं आप को जबलपुर का दृष्टान्त देता हूं। जबलपुर एक बड़ी छावनी है। वहां पर इन बंगले वालों के पास बहुत बड़े बड़े जमीन के टुकड़े हैं। वहां के निवासी, आजकल चंकि मकानों की बहुत कमी है, वहां उस जमीन पर मकान बनाना चाहते ह, लेकिन उन को मकान बनाने की इजाजत नहीं मिलती। यह कहा जाता है कि बस्ती घनी हो जायगी और अगर वहां मकान बनेंगे तो जो जमीन है उसके बहुत टुकड़े हो जायेंगे। जबकि हमारे देश में जमीन की इतनी कमी है और मकान इतने थोड़े हैं तो इस प्रकार के प्रतिबन्ध हट जाने चाहियें। जिन छावनियों में ऐसी जमीन मौजूद है कि जहां पर बंगले बनाये जा सकते हैं, वहां पर दूसरे बंगले बनाने की इजाजत होनी चाहिये।

उसी के साथ खेती की जमीन के सम्बन्ध में मेरा यह निवेदन है कि वह जमीन वहां पर किसानों को केवल पट्टे पर, लीज पर, दी जाती है। वहां के किसानों के लिये जो ठेके का समय होता है वह इतना कम समय रहता है कि वे लोग अपनी खेती वहां पर भली भांति नहीं

[सेठ गोविन्द दास]

कर सकते। जबलपुर में तो चार वर्ष के समय के लिये जमीन दी जाती है। जिन लोगों को थोड़ा सा भी खेती का परिचय है वे मुझ से सहमत होंगे कि चार वर्ष का इतना थोड़ा समय है कि कोई भी किसान अपनी खेती की उन्नति नहीं कर सकता। इसीलिये हम देखते हैं कि जहां पर छावनियों में खेती होती है वहां की फ़सल बहुत कमजोर होती है। एक तरफ़ तो हम उत्पादन बढ़ाने की बड़ी बड़ी योजनाएं बनाते हैं दूसरी ओर इस प्रकार की चीजों में हम कोई सुधार नहीं करते। मैं निवेदन करना चाहता हूं कि छावनियों में जो जमीन खेती के लायक है और जो वहां पर ठेके पर दी जाती है वह कम से कम १५ वर्ष के लिये ठेके पर दी जानी चाहिये। इससे कम समय के लिये कोई जमीन किसान को ठेके पर दी जाती है तो वह उस में अधिक उत्पादन नहीं कर सकता।

फिर हम सब जगह से मालगुजारी हटा रहे हैं, जमींदारी हटा रहे हैं। जो लोग खेती करते हैं हम उन्हीं के कब्जे में वह जमीन रखना चाहते हैं। लेकिन जहां तक छावनियों की खेती की जमीन का सम्बन्ध है, सरकार वहां की सबसे बड़ी मालगुजार, ताल्लुक़ेदार बनी हुई है और न जाने क्या क्या बनी हुई है। तो जबकि हम मालगुजारी, ताल्लुक़ेदारी और जमींदारी, इन सब का अन्त करना चाहते हैं तो छावनियों की जमीनों पर सरकार एक मालगुजार के रूप में बैठी रहे और वहां के किसानों को जमीन पर कोई अधिकार न मिले, यह एक अनुचित बात है।

इस विधेयक से जो लोग छावनियों में रहते हैं, उनका किसी प्रकार का भी सन्तोष होने वाला नहीं है। इन छावनियों के सम्बन्ध में स्वराज्य होने से पहले से जो मांग सरकार से की गयी और अब भी की जा रही है, वह वैसी की वैसी ही पड़ी हुई है। फिर इस विधेयक में कोई सुधार भी नहीं किया जा सकता। इसलिये मैं माननीय मंत्री महोदय से इस बात की दरख्वास्त करूंगा और बहुत जोर देकर इस बात को कहूंगा कि वे छावनियों के सम्बन्ध में एक विस्तृत विधेयक यहां पर उपस्थित करें। उस विस्तृत विधेयक को पेश करने के पहले छावनियों में जाकर वहां के लोगों की राय, कैंटोनमैंट बोर्ड के लोगों की राय, लें। उन सब के ऊपर पूरा विचार कर वह नया विधेयक लावें। जहां तक छावनियों के निवासियों के अधिकारों का सम्बन्ध है उसके विषय में कोई भी प्रजातान्त्रिक रूप में चलने वाली सरकार के द्वारा इस प्रकार के विधेयक के लाने से उन में असन्तोष ही बढ़ेगा।

मैं आशा करता हूं कि बहुत जल्दी सरकार छावनियों के सम्बन्ध में एक विस्तृत विधेयक यहां पर लावेगी और उसके लाने से पहले कटूनमैंट बोर्ड और छावनी के लोगों से विचार कर के लावेगी। इन सब बातों को देखते हुए तीन वर्ष के बाद यहां पर जिस प्रकार का विधेयक उपस्थित किया गया है इस विधेयक का समर्थन किसी प्रकार भी हम नहीं कर सकते। लेकिन चूंकि अब यह हमारी सरकार के द्वारा लाया गया है, इसलिये मैं इसका विरोध भी नहीं कर सकता। इतना मैं जरूर कहना चाहता हूं कि कोई भी आदमी जो प्रजातन्त्र में विश्वास करता है, वह इस तरह के विधेयक का जिसमें छावनियों के अफसरों के अधिकार और अधिक कर दिये गये हैं, कदापि स्वागत नहीं कर सकता और न समर्थन कर सकता है।

Shrimati Renu Chakravartty (Basirhat): This Bill was brought forward here as a result of the report of the Central Committee on Cantonments. It took three years to come into being and at the end of it we find that the same anti-people conception underlies the entire Bill which originally had to be eradicated. Originally,

cantonments were placed where the imperial army was stationed. It was necessary from the point of view of the British Government to segregate them so that they would not have contact with the people upon whom they were supposed to be ruling. But it is an amazing fact that after three years the committee has produced a report on the basis of which a new Bill has been introduced in this House which is pledged to the building up of a welfare state, which is pledged constitutionally to build up a welfare state on the basis of a republican constitution, and we find that even greater powers are being put into the hands of those who have traditionally been farthest away from the people,—the military officers who were empowered by the British with powers which took them further away from the people,—measures, which today, in a democracy, we cannot allow.

Specially I would like to mention that it is amazing that this committee was largely made up of officials. Yesterday, my friend Mr. Khuda Baksh and some other Members on the other side of the House took great pains to show how, under the new set up, officials were patriotic and that we should not be condemning them. But I would just like to mention over here in this House that from the very beginning, the officers of the military lands and cantonments services had vehemently opposed any attempt to amend or change this Cantonments Act. It was really very unnecessary for them from the very first to oppose the setting up of the committee. Secondly, they dominated the entire committee through the various official members who were part and parcel of that committee. Thirdly, they narrowed down the scope of examination by side-tracking issues, by presenting memoranda through small primary committees dominated by them and I will tell you the example of one particular pamphlet issued under an organization called the Military Lands and Cantonments Services Association, whose director was actually acting as the Secretary of this Committee on Cantonments. In this pamphlet, he puts forth certain suggestions. I will just mention the suggestions. Firstly, he urges the reduction of the present strength of the elected members from 47 per cent. to 25 per cent.—a very grand scheme indeed! A reduction of the official members from 47 to 25 per cent. which will mean an increase in the official bloc from 53 to 75 per cent. Secondly, he demands that there should be the abolition of the Bazaar Committee of elected members and its replacement by an official standing committee. Thirdly, he asks for the ensuring of a seat on the Cantonment Board to the executive officer in addition to his being the Secretary. Now, all these are examples of the entire bureaucratic nature of those who were really in charge of formulating the recommendations of the central committee on cantonments and that entire outlook is to be seen in this report of the committee. That outlook is to be seen in the entire report of the Committee.

Now, when we come to the actual amendments proposed in the Bill we find that much larger powers are going to be given to military officers in the name of ensuring better discipline and better management of the cantonment boards. We are talking so much about democracy. My hon. friends on the other side are always shouting of democracy—whether it is the Five Year Plan or whether it is the Cantonment Boards. But what is the type of democracy we find here? Instead of overhauling the structure which has been handed down to us by the British and replacing it by an elected body, you are now demanding that the same old imperialist system should remain. On top of that, certain additional powers are now sought to be given to these military officers who so long have been the main props of the British days. Instead of having an elected President and an elected Board you are again going the same way as did the old rulers of our country. The powers of suspension and veto the Government

[Shrimati Renu Chakravartty]

still possess. If you are really frightened that by coming in close touch with the people, the discipline of your army will be impaired, then you have the right of veto. Will that not be sufficient for you to maintain the discipline of the army? Will that not be enough to safeguard the national interest, as you call it.

There is one other point which I think ought to be underlined. The civic amenities of the military personnel in the cantonments are already taken care of by the public exchequer under the control of Commanders. Libraries, schools, water-supply, electric supply, street lighting, all these things are under the control of the commanders and the entire amount is met from the Defence Budget. But what happens to the civic amenities of the large civil population which is daily growing side by side in the cantonment areas? In their case we find that there is hardly any water; there is no good housing; there are hardly any schools; education is nil almost. It is a surprising fact, as has been shown in the memorandum submitted by the All-India Cantonments Association that since 1924 not one single cantonment board has introduced free compulsory primary education in anyone of the cantonments existing in India. The expense of not one single board on education has exceeded ten per cent. and no board has undertaken any big housing scheme. It is rather alarming to note that except in one or two cantonment areas there is not even a fire fighting service. This is the type of amenities, or lack of amenities, total elimination of amenities, that is provided for civilians living in the cantonment areas. Side by side with that, when we see the areas in which big military officers live, in the cantonments, you will find the best of everything being supplied to them. We feel that the service of the people can only be got when we do something for the people. It is high time we gave them elected representatives and also allowed these elected representatives to have full power so that not only will they be able to look after the welfare of the people, but also provide amenities for all the inhabitants, including the military of that area. We cannot understand why it is that our Government are still fighting shy of giving these elected representatives full power, and why they are afraid that the health of the army, the welfare and the discipline of the army will be jeopardised by their coming in contact with the people, by remaining under the control of the representatives of the people who have the widest authority and the widest elected power behind them.

Another point which I would like to mention, Sir, is the powers of the Military Estate Officers which need to be curbed. The Military Estate Officers and the Directors are possessed of wide powers. For instance, now they are the only authorities that can pass or sanction building applications. This must be completely stopped by the elimination of section 181(3). Again certain powers are proposed to be transferred from the Board to the Executive Officers. Now, these Executive Officers should be selected through some body like the Public Service Commission, because they are officers who are expected to have ability, tact, experience and well versed in matters of public administration. Instead of just handing over wide executive powers to people with very little experience, we should have experienced officers chosen through an impartial body like the Public Service Commission. The retrograde proposals of clause 5 must be completely thrown overboard.

Now the duties of the Boards should be enforceable; also the discretionary powers of the Board should be enlarged. The construction of large water works, drainage schemes and electric installations should be taken away from the Executive Officers and vested in the Boards. The previous speaker, has very ably dealt with the question of land in cantonment areas.

The whole question of land must be reviewed and land must be given to the peasants. It is a fantastic position that when we are talking about giving land to the tiller, the lands in Cantonment Boards should remain outside the purview of any changes that are being undertaken in the way of land reform, however small and however inadequate it may be.

There is one other very important point to be noted and that is the necessity of town improvement and town development. Now, whenever one visits these cantonment areas, especially the hill cantonment areas, one is struck by the fact that the bazaar areas, where the majority of the civil population live, are in the worst dilapidated condition. It is really a British system which has continued since 1924, and any effort to improve the living conditions of the civilian population has been constantly curbed. Under the plea of preventing over-crowding, construction of new homes and new houses has been discouraged. Even reconstruction of old house and their modernisation has been stopped. The entire idea behind it is that the civil population does not matter at all. All that matters is the military, all that matters is the imperial army of the old times. They are to have the best of everything to the exclusion of the people of the soil. This is an idea which has to be fought against. But unfortunately this idea has found expression in this Bill. Therefore, hon. members on both sides of the House have vehemently to protest against it.

3 P.M.

Furthermore the police powers which have so long been enjoyed by these military estate officers have to be curbed. Yet, we find that no such thing is being done in this case. For instance it is necessary that there should be power to regulate the hours and places for the sale of liquors to civilians. Also such fantastic powers as throwing out a person, of not allowing a person to enter, or to exile a person from the cantonment area, which are given to the Officer Commanding, must be taken away. I will just give you an example of it. Because Barrackpore in West Bengal is a cantonment area, anybody residing in the bazaar area may be exiled from entering it. But any person residing in Fort William area cannot be exiled from Calcutta. This is the fantastic position. Yet the arguments that have been given by those who are supporting the Bill are that it is necessary because it is necessary for us to have discipline and all that sort of thing.

These are some of the things which we cannot accept, and the police powers have to be curtailed. The military must be under the civil authority and law and order must remain under the department of law and order. The military cannot take upon themselves these rights.

And lastly I should like to point out that the top-heavy expenditure has to be reduced. There has been nothing very much said as to how we are to check finance. If these rights of giving better living amenities, better educational facilities, better sanitary conditions have to be ensured through the boards, if they have really to work for the people, then the financial aspect must be borne in mind and something must be done immediately to cut down, by 50 per cent. at least, the top-heavy expenditure which is being maintained even now. The old British authorities were afraid even of the few elected people who were in the boards. They therefore had a certain machinery to see that nothing went against them or, what they regarded as, jeopardising their interests. They had certain supervisory committees, and a certain top-heavy administration had been built up. Now things have changed. At least that is what is being maintained by hon. Members opposite. If today really we are living in a welfare State, if we really maintain that we are a democracy, it is only right that we should give up all this idea of maintaining a segregation between the army and the people, give the fullest powers of local self-government to the elected people and give them the right and authority to

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do everything in their power to give a better life not only to the civil population but also to the military.

Democracy never harms the military or the army. The army must be for the people, and the people must be for the army. And it is with that conception that we have to bring forward Bills in the new set-up of things. Otherwise I am afraid that we shall still cling to the same old idea, and the same old bureaucracy shall be maintained to the destruction of democracy which we are so loud in proclaiming.

Shrimati Sucheta Kripalani (New Delhi): Mr. Deputy-Speaker, this Bill, as has been stated by other Members before me, has come as a result of long-standing demand for reform in the administration of cantonment areas. The civilian population living in the cantonment areas have been suffering under so many handicaps, and a great deal of agitation was going on for reform in the administration of cantonments, so much so that during the British days the Congress Members protested in this very House against the conditions prevailing in the cantonments and demanded reforms. As a consequence, about five years back, a conference of Ministers of Local Self-Government took place, and on their recommendation a Central Committee of Cantonments was appointed to go into the whole question.

I do not wish to say much about the composition or the functioning of the Central Committee, because other Members who have preceded me have spoken considerably on it. It is admitted that the composition of the Central Cantonment Committee was conservative and its terms of reference very limited. As a consequence, the recommendations that have come from it are conservative and within the existing framework. They have suggested certain superficial amendments and superficial improvements. These improvements do not touch any of the fundamental, basic issues which were the real points in respect of which people wanted a change.

The present Bill is based on those recommendations. In the statement of objects and reasons it is said that the Bill seeks to increase the efficiency of the cantonment administration; also that it seeks to bring the system of election in line with the general principles adopted for municipal and parliamentary elections—I suppose by that they mean the abolition of communal reservation—also that it proposes a few other consequential amendments. Some of these provisions are slightly good, and to that extent I support the Bill.

But the general criticism levelled by Members belonging to various parties is that the amendments are secondary, superficial, they do not touch the fundamental, basic issues involved and, therefore, the picture of the cantonment administration remains as it is and, as pointed out by Shrimati Renu Chakravartty, some of the measures are even retrograde.

It is surprising that so far as the Central Cantonment Committee is concerned, on whose recommendation this Bill is supposed to have been framed, some of the recommendations which were for the benefit of the civilian population have not been accepted. At least they do not feature in the Bill that is before us.

What should have been the object of such a contemplated reform? Such a reform should have tried to remove the inequities that prevail today. It is but natural that citizens belonging to different parts of the country should have the same rights, facilities and amenities. It is quite natural that people living in cantonment areas should demand that they should have the same civil amenities and facilities as are enjoyed by people living under any other municipal administration. But the Bill does not bring about this reform at all.

This brings me again to the question of the history of the cantonments. The cantonments originated as temporary places for the troops, and the civilian population consisted of camp followers, servants and traders who had something to do with the military personnel. But what is the picture today? Today the cantonments are small townships with a very fairly large civilian population, with the needs of normal civic life. But what is the administration? What do we see? We see that the administration is organised in an autocratic fashion. The administration does not seek to look after the interests of the civilian population. When the British framed this kind of administration, what was their object? Their object was somehow or other to keep the army apart from the civilian population. That was their main object. And what was the function of the cantonment administration? The function of the cantonment administration was, not to give sanitary and municipal facilities to the army personnel because that was looked after by the Defence Department. They merely looked after the interests of the civilian population. But how did they proceed in the matter? How were they motivated? Their motive was not to look after the civilian population properly but to create a quarantine wall between the army personnel and the people. Their object was to keep the place clean not only physically but politically. They did not want that the military personnel should in any way come in touch with the ordinary people with their normal problem, etc. Therefore, they wanted an area where life was regulated in such a way that an artificial atmosphere was created, so that the troops could be kept apart. That was the object of the cantonment boards, as envisaged and framed by the British. Such conditions do not obtain now, and it is therefore natural that we should want a reform in the cantonment administration.

Now, I do not wish in any way to disturb the discipline of the army; neither do I wish to introduce politics into it. I understand the responsibility and the seriousness of such a proposition. At the same time, Sir, I would like you to look to the civilian population, to their democratic and civic needs, which are denied. That makes a good case for having an elected Board with an elected Chairman responsible to the tax-payers. The Central Committee had recommended a *via media*. They had recommended that cantonments should be categorised into three categories: (i) cantonments which have very large areas redundant to their requirements; in these areas, independent local bodies should be appointed; (ii) other cantonments which do not have such large areas, could be joined to the neighbouring municipal organisation; (iii) the smallest to be left as they are. This most important recommendation of the Central Committee does not find any place in this Bill. That was some sort of a compromise. Even that has not been accepted.

What is the difficulty in the present administration? Much has been said about the Military Chairman of the Cantonment Board. I personally do not wish to say anything about the Military Chairman in the way as was said yesterday. Some one described him as Colonel Blimp; somebody else said that he was a stooge. I have the greatest regard for him and I do not wish to use that language. But I shall put before the House the difficulties that are inherent in the situation. The Military Chairman is pre-occupied with his own affairs. He has so many other things to attend to. His training is quite different, and unsuited for this role. Therefore, he ignores the needs of the civilian population. Here, I shall give a small illustration from my personal experience. A few days ago, I went to the New Delhi cantonment. I found that there was a small strip of a road from the area where the military personnel actually stay, to the neighbouring village. These villages are within the cantonment

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area. This little strip could be made a *pucca* road; it could be repaired. What has been done? When the military personnel wanted to use that road, they put up two strips of cement concrete, one apart from the other, which was suitable for running military wagons. Now that road is neither a *pucca* road, nor a *kuchha* road. If it is a *kuchha* road, you can use it if it is a *pucca* road, you can use it. This mixture can only be used by military vehicles. No other vehicle can go on that road. When I went there, I did not know how to drive my car. I could not drive in between the two strips or on one or the other side. This condition has been prevailing for all these years. The people have protested. But because it is a requirement of the civilian population nobody bothers into it. It is not a solitary complaint made by me about Delhi. That is the general situation prevailing in the country and it is more than borne out by a passage that I shall read from the memorandum of the All India Cantonments Association. They say:

> "The powers of suspension, reference and veto possessed by the Government over decisions of Board in sections 51 and 52 are more than enough to watch military and national interests. Civic amenities to military personnel in cantonments, like schools, libraries, water supply, electric supply, roads, lighting, fire fighting, playgrounds, hospitals, maternity welfare centres, housing, even cinemas in barrack areas are provided directly by the defence services at national cost. Even the sale of commodities within barrack areas is under the control of the commanders. Hence the Cantonment Boards are concerned with the provision of civil amenities only to civilians from whom they realise their taxes."—I would like you to underline the words, from whom they realise their taxes. "In this duty the Boards have considerably failed during the last quarter of a century of their existence. Since 1924 not one Cantonment Board has introduced free compulsory primary education, nor undertaken education of adults. The expenses of no Board on education reach even ten per cent. of the total income. No Board has undertaken housing of the poor. In fact, the available residential accommodation for civilians in cantonments is neither adequate nor according to modern needs and designs. There are no labour welfare centres in cantonment areas. Increase in provision of hospital beds, or improvement in the treatment of civilians in specialised diseases has never been thought of. Barring one or two Cantonment Boards, the others do not possess even fire fighting units. And this is happening at a time when the needs of civilians are growing."

That is from the All India Association. They speak for all the cantonments that there are in India. There is another passage here to which reference was made by Shrimati Renu Chakravartty. I shall read the whole passage.

> "One very important need in cantonments is that of town improvement and town development. Even a casual visitor to any cantonment in the country cannot fail to be attracted by the slum-like appearance of houses in civil bazar areas, and the dilapidated sullen old type of bungalows in the residential areas. This state of affairs is the direct result of the policy pursued by the Military Lands department since 1924. In the name of

prevention of over-crowding, and the stoppage of increase in value of private buildings, they have discouraged the construction of more and new houses, and the reconstruction of old ones."

This goes to show that civilian requirements are completely neglected.

I shall say a few words about the Delhi Cantonment which is within my constituency. Delhi is the capital city and mind you, I shall expect the affairs of the Delhi cantonment to be carried on in a model fashion. The Delhi cantonment has a civilian population of over 30,000. This cantonment is adjoining the New Delhi Municipal Committee area and the demand has been that this should be attached to the New Delhi Municipal Committee. They have a long list of grievances. One of the most astounding features is this. For the last 8 years, no elections have taken place. Even the limited democracy that is allowed to this Board has been denied to them because during the last 8 years, they did not think it necessary to have an election. They demand new electoral rolls on the basis of adult suffrage. Coming to the matter of taxation, you will please note that the entire income of the Cantonment Board comes from the civilian population who pay the taxes. The Delhi cantonment people have the honour of paying triple taxes, which do not obtain anywhere else: water tax, house tax and conservancy tax. Even these are levied in a whimsical manner. For instance, even houses which have no water tap, have to pay the water tax. The minimum conservancy tax, particularly for houses paying a rent of up to Rs. 15 is Rs. 1-8-0. Suppose a small house is divided into two portions and two families live there, we would expect that that tax also would be split. Instead of that, the tax is doubled. If two families share one house and pay a rent of Rs. 15, each family has to pay Rs. 1-8-0. Take the question of patronage. Shri U. M. Trivedi drew our attention to that question yesterday. The Cantonment Boards have a big patronage under their control. They give licences, they give permits, they control the entire business of that area. These licences are given to their favourites, to their supporters. Even corruption prevails.

Then, take the question of lands. These lands have been reserved by the Cantonments very much beyond their requirements. These lands are given out to lessees for very short terms. They want security; they want long term leases. Apart from that, I will draw your attention to one peculiar feature that prevails in Delhi. When I went down there, the villagers who live round the cantonment areas spoke to me about this inequity. They said that the lands were taken from their villages for military requirements. When these lands are not used for military purposes, these lands should naturally be leased out to the original land owners. Because their lands have been diminished in extent, they are not able to carry on. But, the administrators—I do not know what they think or whether they make money or not—want to give the lands to their favourites. The lands are leased out not to the original owners, but to people who have nothing to do with Delhi. For instance, lands in Delhi cantonment have been leased out to people coming from Rohtak and Hissar. One villager put me a very straight and a very naive question; there was so much of justice behind the question. He said "When the military require more lands, will they go to Hissar and Rohtak and take lands there; when they want more lands, they will cut out from my lands; but, when the land is lying unused, when I want those lands, I am not given the lease.". All these things happen because there is no representation of the people. The just demands of the people and the just grievances of the people are not put before the Board.

The next funny thing that happens in the Delhi cantonment is with respect to houses.

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These houses are let out to people who themselves own houses in the Cantonment area. These house-owners let out their own houses at very high rates. You know what rates of rent prevail in Delhi. They take "pagdi" and then they take the houses let out by the Cantonment authorities. I can give you innumerable instances of other corruption that prevails in the area.

The Cantonment Boards have powers much more than a normal Municipality. They have powers encroaching into the field of administration and justice. A Member of the Cantonment Board is a Magistrate. You can yourself understand what a fantastic situation prevails when the man who accuses also tries the accused. The Magistrate most often works out his personal vendetta. For instance, I was told in the Delhi Cantonment there are 750 licences issued to milkmen. One of the Members of the Board is interested in one milk concern—a dairy he has started —and he has started harassing these milkmen. One particular person somehow or other has irritated him, and you will be surprised to hear that in the last year 25 challans were made against milk licencees, and of these 25 challans, 11 were made against one single milkman—this man whom this Magistrate wanted to harass. This is how power is misused. They have administrative as well as judicial authority, and they misuse their power.

Then, in the matter of issuing distress warrants, considerable harassment goes on. In this regard, I would like to quote the opinion of the Secretary of the Congress Committee, Deolali Camp. This is his opinion with regard to Clause 23 which pertains to the issuing of distress warrants. He says :

> "The proposed amendment is highly objectionable and is against the law.
>
> The Board and the Executive Officer are empowered to recover taxes by issue of distress warrants for the attachment of properties situated in the Cantonment areas. The powers are only required to be exercised when the defaulter does not reside within the limits of the Cantonment. As regards the recovery of rents for buildings and the lands leased out to lessees who may have some dispute with the Board regarding payments or notices given for vacating the premises it is only the Civil courts which are competant to decide such disputes and award decrees for the due amount. The Board cannot be the lessor and the judge at the same time."

So, I am not the only person who holds this opinion that extraordinary powers have been given to the Board, and those extraordinary powers are being misused, and there is a great danger of their being further misused.

Then, yesterday Mr. Bansal pointed out the fact that people living within the Cantonment area, because they can be thrown out at the will of the Chairman of the Cantonment Board, are virtually denied the right to participate in political activity. Now, it is most fantastic that citizens living in New Delhi have full rights to participate in political activity while people living just a few miles away cannot do so. How do you expect us to accept this Bill which perpetuates inequities, which does not bring justice, which discriminates between one citizen and another? Therefore, it is not surprising that leading Members of the Congress Party have opposed this Bill. People who have experience in this work have opposed it. Mr. Gadgil who has considerable experience in Cantonment work has opposed it.

We do not want to harm the Military. We want they should have all facilities, but at the same time, when the nature of the Cantonment area

has changed, when its nature is no longer that of a temporary Military encampment but a small township, then, it is but right and fair that that township should have all the Municipal facilities and should be free to exercise their power in a democratic fashion. Therefore, I would urge upon the Deputy Minister who is piloting the Bill to withdraw it, consider over it seriously and bring it back in a new shape and form.

In this matter I would only draw your attention to the memorandum submitted by the All-India Cantonments Association and also to the memorandum of a Member of your own Party, the Secretary of the Congress Committee, Deolali Camp. Both these memoranda are worth reading, worth some serious thought. After studying them carefully I would request the Minister to take back the Bill and bring in a new one.

Shri G. H. Deshpande (Nasik—Central): I rise to voice the views of those who are going to be affected by this measure from my constituency. I come from Nasik, and my constituency includes the Deolali Cantonment Board. Some reference to the suggestions and representations submitted by a leading Congressman from the locality were made by the previous speaker. I would like to impress upon the Deputy Minister through you, Sir, that it will be better if he will take into consideration the feelings expressed by people who are going to be affected by this measure. They do not approve of the present provisions. They do think that it is not wholesome. I do not want to indulge in any extremes, but I would like to request that it is high time for the Defence Department to take into consideration the public opinion expressed by those who are going to be affected by this measure as I have said.

The wearer alone knows where the shoe pinches, and practically from every Cantonment people have expressed and expressed very strong feelings against the measure, and hence I once more request the Deputy Minister who is piloting the Bill to reconsider the whole position. I do place before this House the feelings of the people from my constituency from the Cantonment Board, Deolali, and to state that they do not approve of the present measure.

Sir, I have done.

Shri Pataskar (Jalgaon): Fortunately for me, I do not come from a cantonment area...

Shri R. K. Chaudhuri (Gauhati): Thank all your stars.

Shri Pataskar: ...and therefore, I think I will be in a better position to see things dispassionately so far as the present Bill is concerned. I would look only into its provisions and what the Bill is trying to achieve.

I have carefully been listening since yesterday, ever since the Bill was introduced, to a very sad tale of things which need improvement so far as the Cantonment areas are concerned. Much of the criticism was based more or less upon that Committee which was presided over by a Member of this House and which submitted its report. I will not go into that question because, after all, the whole report is not going to be implemented by this Bill, and if I have correctly heard the mover of this Bill, this Bill is a very modest one. It seeks to amend in certain minor particulars the old Cantonments Act, I find that probably people from those areas are carried away by some associations of the past. For instance, this Cantonment business is not a growth for which we are responsible. It had its growth for the last 150 years. It had probably its associations also which are not very happy, for the simple reason that they came into existence for the convenience and use of a foreign Army, and there is no doubt that it was an Army of occupation. Naturally, the scant regard that was shown either to the interests of the civil population living about or to

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other matters could be understood. But, in the present circumstances the Army for which these Cantonments are meant is not an Army of occupation, but is our own Indian national Army whose record, whatever else may be said, during the last five years is a record of proud achievements. I do not think anybody in the House will be able to say, apart from all Party distinctions, that so far as the Army is concerned, whoever might have engaged them previously, at the present moment they are not fully nationalist in their outlook, work and in their devotion to the interests of the country. It is for that army now, that the present system of cantonment administration is being continued. My hon. friend from the Poona Cantonment—Shri Gadgil is not here —gave us some instances yesterday, about which one could always feel with a sense of disgrace. He said that there was a cantonment magistrate, who, when a horse committed some nuisance on the road in front of the cantonment board office, not only fined the owner of the horse, but shot down the horse as well. But of what use are such instances now, in the present context of things, when the army is under the management and control of this Government, which has been elected by the population of this country on the basis of adult franchise? What happened in the past may have caused some prejudice. But that cannot be an argument now for criticising this Bill, at any rate. I do not think in these present times, you can expect a cantonment magistrate working with the Indian army, in a cantonment area, to repeat that thing. I find that the prejudice—justifiable it may be now also—which people had for the approach and associations of the army of occupation which continued to keep these cantonment areas, and the way in which they managed them, still persists, and we also know that that prejudice die hard. But that should not be used now as an argument against the present Bill. At any rate, it should not be carried too far.

My submission to the House will be not to look at this Bill as if it is trying to achieve an over-all improvement in the entire system of administration of cantonment areas. That is not the object of this Bill. So far as I have been able to find, and as has been explained more than once, this Bill has been brought forward only for effecting some minor improvements. Therefore, all this criticism that democracy is being murdered, etc. by this Bill, is not correct—probably there was no democratic administration in these areas at that time. It would be open to any one to argue that this Bill is not enough, that you should have brought forward a more comprehensive Bill which would introduce certain other reforms. But I do not understand how it can be said that this Bill which has been brought forward before us is trying to murder democracy in this country.

Criticism has also been made in regard to the provisions of this Bill. I tried to listen to the speech of my hon. friend Shri S. S. More very carefully. He said, there is clause 4. But what is there in clause 4? Clause 4 reads :

> "In sub-section (1) of section 4 of the principal Act,
>
> (a) after the words "The Central Government may" the words "after consulting the State Government and the Board concerned" shall be inserted; and...".

Does that amount to murdering of democracy? What was formerly being done by Government of their own accord, is now sought to be done after consulting the State Government and the Board concerned. Is that murdering of democracy? I do not understand what is meant by that. What is wrong with the present Bill, I fail to understand. One could say that this Bill does not go far enough, and that this provision does not go far enough, and that there should have been a provision that the Central Government should consult the people

of the area concerned. That is something which we can understand. To my mind, therefore, the main contention seems to be that this Bill does not go far enough.

Many arguments have been advanced also in regard to the question of segregation. It was said that in the earlier days, when the army was an occupation army, segregation was justified by the imperial power, but why should there be segregation now, when the army is the army of a free nation. Well, I can understand that argument. Certainly, that army cannot be as much away now from the people, as the former army could be. However, we have to be careful and beware of certain other factors. I am not talking now of the civic amenities being provided to the people. If no schools have been opened in a particular area, there should certainly be a provision that schools should be opened in that area. But to argue that segregation is not justified to any extent is not correct. My hon. friend Shrimati Renu Chakravartty was arguing, what is the necessity for segregation now, and she gave the instance of Barrackpore in Calcutta. In these days, even in a democratic country, you must keep the army free from opportunities for indoctrination by different parties, if you want the army to look after your security. Today, it may be the Congress Party in Power, tomorrow it may be Dr. Khare's party, and later it may be the party to which my hon. friend Shri Sarangadhar Das belongs. Whatever it may be, you cannot allow in the present world as it is, an army not to be segregated, but allowed to be influenced and indoctrinated by forces which admittedly exist in the world, and exist with greater liberty in a democratic country like ours. Are we going to allow the army to be indoctrinated in this manner, so that the security of the country may be endangered?

Shri S. S. More (Sholapur): Are they not voters?

Shri Pataskar: All these arguments of a theoretical nature are absolutely of no avail. I can understand the argument that the civic amenities provided are not sufficient and so on, and one could plead for them. But we cannot allow the army to be indoctrinated by the different parties that exist in the country today. We have got one example which is witnessed by the world today, and which is known as the 'prisoners of war camps' in Korea. What is happening there? Two forces in the world are trying to indoctrinate them, and soldiers are the easiest to be indoctrinated. Therefore, in a free country in the world, if the country is to remain free, you cannot allow all your so-called democratic approaches in respect of the army. They may be open to the ordinary citizen, but we should not give opportunities to people to indoctrinate the army. Today it may be one party, tomorrow it may be quite another, but the army must be kept free from all party influences. The duties of the army must be to look to the interests of the nation, to look to the security of the nation, and to serve the country as a whole, irrespective of any party considerations. So, if the army is allowed to mix freely with people, I do not know what will happen to the security of the country. All these arguments on segregation, to my mind, seem inappropriate, so far as this Bill is concerned.

As the hon. Mover of the Bill has himself stated, this Bill seeks only some minor improvements in the Cantonments Act, as it exists at present. Still, I would also voice the feelings of some of those who have spoken so strongly, and appeal to the hon. Minister that he should, at no distant date, try to bring forward a Bill, by which better provision could be made for the amenities of the civil population which lives in the cantonment areas. There can be no two opinions on that point. But to attack a small measure like this in the name of democracy, is to my mind

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hardly justified. Of course, it gives an opportunity to hon. Members to say what ought to be done. They can surely express their views that this is lacking, that is lacking, this should be done and that should be done, and so on. But I fail to understand the argument that this innocuous Bill, which may not meet all that the different Members require, is trying to murder democracy, is trying to cast a slur on democracy and so on. All these arguments that have been advanced are not justified in my opinion.

I have very carefully tried to listen to hon. Members who have tried to analyse the different provisions of this Bill. Naturally, if there are any provisions which deserve to be amended, the Opposition Members could move amendments to that effect.

My hon. friend Shri Gadgil was saying that in the bazar areas, there is some improvement. But hon. Members have been arguing, what is wrong if a member of a local neighbouring local body is also a member of the Cantonment Board. Their argument was on the following lines. After all, the members of the Cantonment Board are going to be local people, who will look after the local interests of that particular area. But it must be remembered, that if you allow them also to be members of the neighbouring local bodies, that is not likely to lead to any efficient working of either these local bodies or the Cantonment Boards.

So far as the composition of these Boards is concerned, there was a good deal of criticism, that there is a nominated majority, of about two or three per cent. It is worthwhile considering the question, so far as the powers are concerned, to make it an absolute majority of the elected members. But so far as this Bill is concerned, I do not think they are going to make any change in the composition of the Boards. I have got it from the hon. Minister in charge of this Bill, that this Bill does not propose to increase the percentage of nominated members, or anything of that kind.

Therefore, my appeal to hon. Members on both sides of the House is not to look at this question of Cantonment Boards and their management from the point of view of carrying out all our experiments of democracy in those areas, but to look at the question from the other point of view.

Look at the Bill, as it is. I think certainly it does not go far enough and I do not think the hon. Minister in charge claims that it is the last word on the subject. Therefore, why all this criticism about this minor Bill for all the failures which it does not try to meet? As regards some of the other demands which have been persistently made, I think so far as the voicing of those grievances are concerned, it is all right. But to carry it too far, to exaggerate them and call this Bill itself as a thing which is likely to murder democracy is something which it is very difficult for me to understand.

I know those Members of this House or of the other House who have been connected with cantonment areas and people probably are more obsessed by the local grievances which are put forth by certain particular individuals who live there rather than by an approach to the question from the all-India importance. I can understand that it is very natural on their part. Therefore, I said in the beginning that I did not come from any cantonment, and so far as I can find by looking into this Bill, this Bill itself is very innocent and innocuous and all this criticism is unjust...

Shri S. S. More: Very innocent!

Seth Govind Das: Good for nothing.

Shri N. C. Chatterjee (Hooghly): Worse than that.

Shri Pataskar: May be. I was listening to my friend from Jabalpur, but I did not hear him point out that there is anything retrograde in this.

Seth Govind Das: Nothing to point out.

Shri Pataskar: That is why I say it is innocuous. Therefore, my submission is that all this is more airy than otherwise. But I think within a short time the hon. Minister also will reconsider the whole question. There has been so much of criticism which may be justified. Naturally we in India do want that there should be amenities for the people living there and we hope that he will try and find his way to see what changes could be made. But I think all this criticism is not justified. With these few words, I resume my seat.

सेठ अचल सिंह (ज़िला आगरा–पश्चिम) : उपाध्यक्ष महोदय, भारत को आजादी हासिल होने के बाद ऐसा ख्याल किया जाता था कैंटोनमेन्ट बोर्डों में, जहां पर कि अंग्रेजों ने अपने मन के माफ़िक ऐक्ट बनाये थे और काम शुरू किया था, कुछ सुधार होगा। लेकिन अफसोस के साथ कहना पड़ता है कि आजादी मिले ६ वर्ष हो गये पर कोई ऐसा बिल नहीं लाया गया । जो ऐमेन्डमेन्ट हमारे मंत्री महोदय ला रहे हैं वह बहुत माइनर ऐमेन्डमेन्ट हैं और उस में ५० के बजाय १०० रु० या १०० रु० की बजाय २०० रु० जुर्माना करना और कैंटोनमेन्ट बोर्ड के अफसरों की ही ताकत को बढ़ाना है, इन ऐमेन्डमेन्ट्स में कोई सार नहीं है । जब तक कोई कम्प्रिहेन्सिव ऐक्ट नहीं बनेगा तब तक जो कैंटोनमेन्ट की २० लाख के करीब जनता है और जो तिलमिला रही है, उस का भला नहीं हो सकता उस को अगणित मुसीबतों का सामना करना पड़ता है । रोज नये नये टैक्स लगते हैं, जुर्माना किया जाता है अगर किसी ने लाइसेन्स नहीं लिया तो जुर्माना । ऐसे ऐसे टैक्स लगाये जाते हैं जो कि बराबर की म्युनिसिपैलिटी में नहीं होते । मैं आगरा कैन्टोनमेन्ट बोर्ड के बारे में कहूंगा कि यह फर्स्ट क्लास बोर्ड है उस में १५ मेम्बर हैं जिन में से ८ गवर्नमेन्ट के नोमिनेटेड हैं और ७ एलेक्टड हैं । यह नामिनेटेड मेम्बर्स इस तरह से काम करते हैं कि जो एलेक्टेड मेम्बर होते हैं उन की कोई व्यवस्था कारगर नहीं होती है और न यहां प्राइमरी शिक्षा, सफाई, पानी, रोशनी, पक्की नालियों, सड़कों का समुचित प्रबन्ध है इस से लोगों को काफी परेशानियां होती हैं । इस सम्बन्ध में बहुत से रिप्रेजेन्टेशन किये गये लेकिन कोई सुनवाई नहीं होती है । इस के साथ ही साथ जो वहां का मिलिटरी एस्टेट्स आफिस है वहां उसने अलग परेशानियां पैदा कर रक्खी हैं । जो एजुकेशनल या पब्लिक इन्स्टिट्यूशन्स को लीज़ पर जमीनें दी गई हैं उन से हजारों रुपया नज़राना लिया जाता है हजारों रुपये सालाना किराया लिया जाता है जब कि वह नोमिनल नजराने और रेन्ट पर होनी चाहिये और सारी बातों से जनता बहुत बेचैन व परेशान है ।

मैं मंत्री महोदय से निवेदन करूंगा कि वह जल्दी से एक काम्प्रिहेन्सिव बिल लावें जिस में जो कैंनटोनमेन्टों की २० लाख जनता है, जो कि करीब २ करोड़ रु० के टैक्स के रूप में देती है, उस को कुछ सहारा मिल सके और लोग महसूस कर सकें कि वह प्रजातन्त्र राज्य में रह रहे हैं और कोई ब्यूरोक्रेटिक गवर्नमेन्ट नहीं है । अन्त में मंत्री महोदय से मेरा निवेदन है कि वह जल्दी ही एक काम्प्रिहेन्सिव बिल लावें जिस से जनता को राहत मिल सके ।

Dr. N. B. Khare (Gwalior): I was provoked to speak on this Bill.....

Dr. Lanka Sundaram (Visakhapatnam): Who provoked you?

Dr. N. B. Khare: .....by the speaker who took part in the debate before the last speaker, my friend from Khandesh, Mr. Pataskar. Sir, I am glad that there is evidence in this House today of Congressmen having acute differences and expressing them

[Dr. N. B. Khare]

boldly on the floor of this House. This is a good sign of the times, I should say.

Sir, the Member from Maharashtra who spoke yesterday criticised the Bill very bitterly. Then another Member from Punjab also spoke yesterday in a similar strain. He called the Bill 'atrocious', if I remember right.

Shri N. C. Chatterjee: Monstrous also.

Dr. N. B. Khare: Monstrous also. Then today I heard Mr. Pataskar trying to defend the Bill. I was very much amused by the special pleading which he showed on the floor of this House in defending this Government.

Dr. Lanka Sundaram: When Maharashtrians follow Maharashtrians what happens?

Dr. Krishnaswami (Kancheepuram): Nothing.

Dr. N. B. Khare: It was a case of a Mahratta meeting a Mahratta. And here is a third Mahratta intervening.

Dr. Lanka Sundaram: Fourth.

Dr. N. B. Khare: Then, Sir, I do not know whether.....

Mr. Deputy-Speaker: Is it to be called a Mahratta Bill !

Dr. N. B. Khare: Of course 'Mahratta' means 'military'.

Dr. Lanka Sundaram: It is a monstrous Bill.

Dr. N. B. Khare: I do not know whether this Bill is innocuous or harmless. I do not know whether it is water-melon-like or it is milk and water. If it is so, why should it be brought before this House at all? It is not necessary if it was innocuous. It was also called an 'innocent' Bill. And, Sir, in defence of the Bill, my friend, Mr. Pataskar, assumed the appearance of injured innocence. I do not know how far he was successful. I think he has failed.

Shri S. S. More: He became ridiculous.

Shri Pataskar: I think Mr. More was more ridiculous.

Dr. N. B. Khare: He laid great emphasis upon the old association, the old ideas and the evil of the old regime of army occupation. Sir, it is not a question of association at all. It is a question of facts. Are there facts enough at present in this country in these cantonment areas about this administration which are affecting the democratic rights of the people who live there? That is the question, and to that question there is only one answer—emphatic answer—'Yes, there are such facts and they must be done away with'. It is no use saying that this is a past legacy. The question is whether this Government has kept up the past legacy in the last six years since it took office. That is the question. If it had done so, surely Government stands to be condemned for not removing this legacy.

Then, Sir, my friend from Poona when he opened his attack yesterday, said that the Mover of the Bill reminded him of old Tottenham, the Military Secretary in the Assembly of the Government of those days 1935-36, when I remember Gadgil as a colleague. And you also, Sir, remember we were all colleagues. So Gadgil was reminded of Tottenham.

Mr. Deputy-Speaker: Sometimes it is said: 'Save me from my friends'.

Dr. N. B. Khare: Yes. Sir, I am not at all surprised. Gadgil may be surprised, because he still has got something of past left in him. Or perhaps I do not know whether he is thinking for the future. But so far as I am concerned, Sir. I have got no problems of any kind at all. Sir, to me this Congress Government has inherited all the past legacies of the British. There is no doubt about it.

Shri S. S. More: Without their virtues.

Dr. N. B. Khare: Without their virtues. No doubt about it. Sir, I say so because in Hindi the Congress is

called. "कांग्रेज" They do not say कांग्रेस but कांग्रेज

Dr. Lanka Sundaram: What does it mean?

Dr. N. B. Khare: If the Hindi word is subjected to a rule of Sanskrit derivation "कांग्रेज" का मतलब होगा "काला अधिक अंग्रेज" । याने काला अंग्रेज, बीच का 'ला' लुप्त हो गया तो बन गया कांग्रेज ।

So, Sir, there is nothing surprising. कांग्रेज is British. The only difference is that that was white and this is black, and the black is compensated by the white cap that is on. There is nothing surprising at all. Sir, in those days the British kept these cantonments as their military citadels to keep their armies of occupation safe from public influence, on account of diversity of interest.

Shri N. C. Chatterjee: Segregated.

Dr. N. B. Khare: Segregated.

Can that thing be defensible today? And Mr. **Pataskar sought to defend it.**

Shri Pataskar: I did not defend it. I said they should not be indoctrinated.

Shri S. S. More: He is now repenting.

Shri Pataskar: I am not repenting. I said indoctrination should not be allowed and I still say that.

Dr. N. B. Khare: I tell you, Sir the Army should be free from indoctrination and loyal to the Government of he day; **we do not at all want** to indoctrinate. But, under the present conditions, is the Army free from indoctrination by the Congress, I ask. It is not free from that. So, if the Congress has the right to do that, we have also an equal right. They must understand these things. It does not mean that **one should tamper** with the laws **of the country. One** can understand that. But, I cannot understand what Mr. Pataskar says. So this Bill must be absolutely thrown out by the House. It is not worth being looked into; it has to be condemned to the waste paper basket. I think that when the time comes for voting, those who have spoken against the Bill so vehemently will flitter away. I think their progress is only this much; it has come up to words and not to deeds. But, I think, in course of time, it will come to deeds and then alone there will be real democracy in this country.

Shri Tek Chand (Ambala—Simla): Mr. Deputy Speaker, while eschewing the language of acerbity, bitterness and rancour in which some of the hon. Members thought it proper to couch their thoughts yesterday and today, I do feel that it is high time that the cantonment laws in this country deserve to be re-modelled. I do not vie with the last speaker in making puerile puns but I do think it is high time to repeal the cantonment laws which are an anachronism.

Dr. N. B. Khare: You enjoyed the fun, didn't you?

Shri Tek Chand: It is regrettable that the dead hand of the Governor-General in 1836 is ruling us today and slighting the prestige of this country and that language which is derogatory to the national **dignity is** still the language of the law. I am referring to the Governor-General's order 179 of 1836. That is the law which still prevails in this country; and there sharp distinctions are made between the natives and the blue blooded. It might as well be said that these expressions need not now matter because all are natives; but, none-the-less the objectionable words are there. They distinctly hurt, not only hurt but bite the soul, and it would have been better if they had been expunged or deleted from the statute book.

For instance, here is this general order of the Governor-General-in-Council, 179 of 1836. It is still the *magna carta* so far as the rights of the cantonment regarding resumptions of property etc. are concerned. It makes a sharp distinction, when there is a question of transfer to a native and a transfer to another. Then again, there are special considerations when transfers can be had of property from

[Shri Tek Chand]

one officer to another, but not so when he does not happen to be an officer but a civilian. In the matter of resumptions of lands, the law is very unfortunate. Resumption of land depends almost upon the whim and caprice of the authorities that be. I know of a case, a recent case, in which a department of the Government happened to be the tenant of a house owned by a civilian. The Government happened to pay him Rs. 1,880 and odd by way of rent. A short while ago, the Government decided to resume the land and offered to the owner a sum of Rs. 6000 as resumption value of his building for which the Government itself was paying no less than Rs. 1,880 per annum, as rent. It is because this general order of 1836 says so.

The other objectionable feature of the cantonment laws is that which is incorporated in sections 236, 237, 238 and 239, the most objectionable being section 239. People who are suspected of seditious leanings can be deported. They can be turned out of the cantonment and if they are temerarious enough to return, they can be subjected to a daily fine. These are the provisions of section 239 which relate to removal and exclusion from cantonments of seditious persons.

Dr. Lanka Sundaram: Is it banishment?

Shri Tek Chand: A person has to be dubbed as one having seditious proclivities and that is enough to turn him out of the precincts of the cantonment regardless of the fact that he may be the owner of the land and he may have no home elsewhere. It is understandable that if he has certain proclivities, let them be alleged and proved in a proper court of law and then appropriate punishment may be awarded to him. But, if according to the preconcevied notions of the cantonment authorities, the man is suspected of having seditious leanings, that should not be enough to uproot him from the cantonment area regardless of the fact whether he has got a home elsewhere or not. This is certainly a feature of the cantonment laws which deserves to be examined and, if desirable, to be eradicated or altered.

Similarly, under section 238, a man has to be styled as a disorderly person and similar treatment can be meted out to him. These are the features that deserve to be examined and it is high time that these features should not besmirch the statute book of this country, whether it relates to the cantonments or the civil areas.

I yield to no one in my zeal for the comfort and the health of the armed forces which should be of paramount consideration, when cantonment laws are being put on the anvil. But, when once that consideration is safeguarded and preserved, there are other features which are galling, which are unfortunate, which are harsh; they deserve to be examined so that in the cantonment also the same rule of law should prevail.

4 P.M.

I thought that this Bill should have removed some of the improper features but it happens to have enhanced and tightened the objectionable feature. There is a certain facility given to the Government by section 259 of the Cantonment Act whereby arrears of taxes can be realised by way of distress warrants. But that facility has now been extended even to realisation of rents. Therefore, if a tenant of cantonment property happens to be in arrears, any movable property belonging to him can be distrained, can be sold and can be taken away, without any question of defence, without any reason why he had been in arrears. They are thus the Courts that decide and the Courts that execute and at the same time the party concerned. I should have thought that in such cases there should be some trial—even summary trial—of these cases. Now the new feature is that even if a person is in arrears in payment of rent to the cantonment authorities, such a person may have to part with any movable property owned by him, and in addition to movable property, his trees, his crops, etc. are in jeopardy.

Again, I wish to plead for the cantonments situated in hill stations. Apart from being cantonments, they are sanatoria. They are also health resorts and holiday resorts. People not associated with cantonments and with military personnel also visit those places, but you will find that there is a progressive deterioration so far as the civic amenities of the tourists are concerned, and some of them are directly attributable to the careless attitude adopted by the Executive Officers. I do feel that the few tourist resorts that we have deserved to be preserved, their civic amenities should be enhanced and, therefore, people should be encouraged to build property, but people cannot build property when the risk that they run is of resumption. A man may have a property worth Rs. 50,000 and it may be resumed at one month's notice and the valuation may be two or three years' rent—one does not know—depending upon the whim and caprice of the cantonment authorities. These are matters worthy of examination and scrutiny as the cantonment laws embody some of the most objectionable features which deserve to be eradicated and the sooner the better.

श्री भक्त दर्शन (जिला गढ़वाल—पूर्व व जिला मुरादाबाद—उत्तर पूर्व) : माननीय उपाध्यक्ष महोदय, इस सदन में इस विधेयक पर जितने कल से आज तक पक्ष में और विपक्ष में भाषण हुए हैं, उन को सुनने के बाद भी मैं अपने इस निर्णय पर दृढ़ हूं कि इस विधेयक का समर्थन अवश्य किया जाना चाहिये, लेकिन कुछ शर्तों के साथ। इस के विरोध में कहने वाले मेरे माननीय कुछ सदस्य यहां तक कहते चले गये कि सेना को अलग रखने व जन-आन्दोलनों को कुचलने के लिये ही छावनी बोर्डों का प्रजातन्त्रीकरण या डिमाक्रेटाइजेशन नहीं किया जा रहा है। मैं समझता हूं कि उन का यह आक्षेप बहुत ही अनुचित और असंगत है, क्योंकि हमारे संविधान के अन्दर ही प्रत्येक नागरिक को, यानी फौज में काम करने वाले लोगों को भी, मताधिकार दिया गया है और पिछले आम चुनावों के अवसर पर उन्होंने उस का प्रयोग करके इस तथ्य को सिद्ध भी कर दिया है। इसलिये मैं समझता हूं कि इस तरह का कोई भी लांछन गवर्नमेन्ट की भावना पर लगाना बिल्कुल ही अनुचित और असंगत है।

दूसरी ओर मेरे कुछ साथी इस विधेयक का समर्थन करने के जोश में यहां तक बह गये और कहने लगे कि कैन्टोनमेन्ट बोर्डों का किसी प्रकार से प्रजातन्त्रीकरण किया ही नहीं जाना चाहिये। इस को सुन कर मुझे यह कहावत याद आ गई कि "मुद्दई सुस्त और गवाह चुस्त"। हमारे मिनिस्टर महोदय ने तो यह तर्क हमारे सामने दिया कि जैसी कि छावनियों की अभी परिस्थितियां हैं उन के अनुकूल अभी यह सुधार नहीं लागू किये जा सकते और भविष्य में उन को लागू करने का विचार कर रहे हैं। लेकिन इस विधेयक का समर्थन करने वाले कुछ सज्जनों ने तो यहां तक कह दिया कि हमें कोई प्रजातन्त्रीकरण ही नहीं करना चाहिये। मैं समझता हूं कि ऐसे ही लोगों के बारे में यह कहावत कही गयी है कि "भगवान् ऐसे मित्रों से हमें बचाये" या यह कि "खुदा ऐसे दोस्तों से हम बख्शे"।

मेरे एक माननीय मित्र श्री बंसल जी ने बचपन की कुछ कहानियां सुनाईं जब कि वह रानीखेत में रहते थे कि किस प्रकार वहां गांधी टोपी पहनने पर ही सजा दी जाती थी। मैं समझता हूं कि यह उनकी बचपन की बातें अब केवल इतिहास की वस्तुएं हैं। मैं स्वयं भी एक छावनी का निवासी हूं, लैंसडाउन छावनी का, और मुझे बखूबी अच्छी तरह से वह दिन याद है जब कि वहां एक काला कानून लगा हुआ था, "सलामिंग आर्डर", उसके अनुसार हर एक गोरे अफसर को सलाम करना पड़ता

[श्री भक्त दर्शन]

था । इस प्रकार की वहां पर आज्ञा थी । गांधी टोपी पर यहां तक प्रतिबन्ध था कि जब मैं स्वयं विश्वविद्यालय से गरमी की छुट्टियों में घर आता था तो दूर ही से गांधी टोपी को मुझे बक्स में बन्द कर देना पड़ता था । इस के अलावा मुझे याद है कि किस प्रकार एक कांग्रेस-कार्यकर्त्ता को पेशावर-कांड के वीर श्री चन्द्र सिंह गढ़वाली की जय बोलने पर छावनी से बाहर कर दिया गया था, याने बारह पत्थर बाहर कर दिया गया था यह जो उदाहरण मैंने आपके सामने दिया यह उस जमाने की बातें थीं जब कि हमारे देश में ब्रिटिश हुकूमत थी । लेकिन आज यह बातें केवल इतिहास की वस्तुएं हो गयी हैं । इसलिये श्री बंसल जी ने और दूसरे साथियों ने जो इस प्रकार की बातें कहीं हैं, उन में आज की परिस्थिति में कोई तथ्य नहीं रह गया है ।

उपाध्यक्ष महोदय, मेरे साथियों ने जिस प्रकार से इन छावनी बोर्डों के विषय में कहा है कि वहां किस प्रकार से बोर्डों का प्रजातन्त्रीकरण, भूमि सम्बन्धी मामलों में और इस प्रकार के दूसरे मामलों में सरकार ने कोई विधेयक लागू नहीं किया, मैं इस सम्बन्ध में एक एक बात पर प्रकाश नहीं डालना चाहता मेरा जो अपना परिस्थिति का अध्ययन है वह यह है कि जैसे भी इस समय हमारे छावनी बोर्ड बने हुए हैं, यद्यपि उन में सरकारी अधिकारियों का बहुमत है, फिर भी वास्तविक सत्ता एग्जीक्यूटिव आफिसर के हाथ में है । वर्तमान विधान के अनुसार छावनी बोर्डों के प्रधान पदेन आफिसर कमांडिंग हुआ करते हैं, किन्तु उन को फौजी मामलों से बहुत कम अवकाश मिल पाता है । इस के अतिरिक्त उन में सरकारी आदमियों का बहुमत होता है, अतः एग्जीक्यूटिव आफिसर के अनसार ही उनको चलना पड़ता है और उसी तरह आफिसर कमांडिंग के आर्डर भी हो जाते हैं । इसलिये हमारे एग्जीक्यूटिव आफिसर्स में स्वेच्छाचारिता और निरंकुशता आ गयी है । इस के पीछे यह भी बात है कि यदि कोई अपील की जाय, या कोई मैमोरेंडम या आवेदन पत्र भेजा जाय तो उस की सुनवाई नहीं होती । इस का एक मुख्य कारण यह है कि लैण्ड एण्ड कैन्टूनमेन्ट सर्विस के अधिकारियों के हाथ में ही अन्तिम अधिकार रहते हैं और वे इन मामलों को बुरी तरह से तोड़ देते हैं ।

मैं आपके सामने एक छोटा सा उदाहरण रखूंगा । आज से दो वर्ष पहले हमारी छावनी में एक सज्जन एग्जीक्यूटिव आफिसर बन कर आये और जिस दिन उन्होंने अपनी औथोरिटी संभाली, उसी दिन वह बाजार में घूमने के लिय निकले और उन्होंने बड़े गर्व के साथ लोगों से यह कहना शुरू किया कि अब देखूंगा कि यहां पर किस तरह से नियमों का पालन कराता हूं और यहां पर किस तरह से मैं शासन करता हूं । चुनांचे, जैसी कि इस के पीछे उन की भावना थी, धीरे-धीरे जनता में असंतोष पैदा हुआ और एक आन्दोलन प्रारम्भ हो गया । उसके बाद जितने गैर-सरकारी निर्वाचित सदस्य थे उन्होंने उन के विरुद्ध प्रस्ताव रखा; यहां तक कि जितने सरकारी अधिकारी थे उन्होंने भी उस का समर्थन किया । इतना ही नहीं, जो आफिसर कमांडिंग थे, उन्होंने भी एग्जीक्यूटिव आफिसर साहब के विरोध में डी० ओ० लिखे । यहां तक ही नहीं, बल्कि सब-डिवीज़नल मैजिस्ट्रेट और डिस्ट्रिक्ट मैजिस्ट्रेट ने भी उनके ट्रांसफर के सम्बन्ध में अधिकारियों को पत्र लिखे । लेकिन आप को जान कर आश्चर्य होगा कि यद्यपि मुझे भी उस के बीच में पड़ना पड़ा और स्वर्गीय श्री गोपालस्वामी आयंगर

साहब के द्वारा उन का स्थानान्तरण हुआ लेकिन पूरे एक वर्ष तक हम लोगों को यह आन्दोलन करना पड़ा । और अन्त में जब उन का स्थानान्तरण हुआ तो वह मूंछों पर ताव देते हुए कहने लगे कि "मेरा क्या बिगड़ा ? मैं तो तरक्की पर जा रहा हूं ।"

तो मैं आप से यह निवेदन करना चाहता था कि वर्तमान ढांचे के अन्तर्गत यदि एग्जक्यूटिव आफिसर्स के ऊपर कोई नियन्त्रण रखा जाय, उन को समय-समय पर वहां की जनता की इच्छा जान कर बदला जाय, और उन के ऊपर कोई प्रतिबन्ध लगाया जाय, तो मेरा निजी विश्वास है कि धीरे धीरे कैन्टूनमैन्ट बोर्ड के मामलों में सुधार किया जा सकता है । मैं ने एक संशोधन का भी इस लिये नोटिस दिया है और मैं यह आशा करता हूं कि जब माननीय मंत्री महोदय उस के बारे में मेरे तर्कों को सुनेंगे तो उन्हें उस के स्वीकार करने में कोई विशेष अड़चन नहीं होगी ।

उपाध्यक्ष महोदय, मैं ने शुरू में ही कहा कि इस विधेयक का समर्थन मैं जरूर करता हूं, लेकिन शर्तों के साथ । वे शर्तें तीन हैं । पहली तो यह कि इस विधेयक को वर्त्तमान रूप में लाने के सिवाय मेरा अपना ख्याल है कि, मंत्रालय के सामने कोई चारा नहीं था । कुछ वर्ष पहले वह प्रख्यात पाटिल-कमेटी नियुक्त की गई थी । उस ने तीन वर्ष के प्रयत्न के बाद एक रिपोर्ट तैयार की और यह जो विधेयक यहां प्रस्तुत किया गया है, यह मुख्यत: उन सिफारिशों के ही ऊपर आधारित है, उन सिफारिशों में से, जहां तक मैं समझता हूं शायद ही कोई सिफारिश छोड़ी गयी हो ।

दूसरी बात इसमें यह है कि राज्य-परिषद् ने अर्थात हमारे दूसरे सदन ने , इसे स्वीकार कर लिया है और अब गवर्नमेन्ट के लिए सम्भव भी नहीं होगा कि उसको इस हालत में वापिस ले लिया जाय ।

तीसरी बात यह है कि जैसा कि उपरक्षा मंत्री महोदय आश्वासन दे चुके हैं कि वे शीघ्र ही एक सर्वांग पूर्ण (कैम्प्रीहेंसिव) बिल लाने वाले हैं, वह तो स्वागत योग्य है, लेकिन मैं अपने आदरणीय साथी श्री गाडगिल के भाषण का समर्थन करते हुए यह कहना चाहता हूं कि जिस संकोच और हिचकिचाहट के साथ उन्होंने यह आश्वासन दिया, उससे कुछ शंका का पैदा होना स्वभाविक है । मैं आशा करता हूं कि हमारे उप-मंत्री महोदय आज खड़े होकर खुले दिल और उदारता के साथ इस सदन में घोषणा करेंगे कि वह निकट भविष्य में, बल्कि जो दूसरा सत्र हमारा प्रारम्भ होगा, उसमें ही एक ऐसा विधेयक प्रस्तुत करेंग जिसमें छावनी बोर्डों की सारी मशीनरी का पूरा प्रजातन्त्रीकरण हो जायेगा ।

इसके आलावा मुझे दो बातों की ओर थोड़ा सा ध्यान दिलाना है । उन्होंने जैसा कि कल बताया कि जगह, जगह कैन्टूनमैन्ट बोर्डस का 'एक्सीशन' होने वाला है, उसको भी मैं समझता हूं कि कई वर्ष बीत चुके, लेकिन मेरा अपना ख्याल है कि अल्मोड़ा कैन्टूनमेन्ट को उस एक्सीशन में शामिल नहीं किया गया है । वहां के म्युनिसिपल बोर्ड के कुछ मेम्बरों ने मुझे बतलाया कि अल्मोड़ा कैन्टूनमैन्ट किस हालत में है, वहां जाने के लिये अल्मोड़ा म्युनिसिपल बोर्ड को पार करके जाना पड़ता है और इसलिये चुंगी के कई मामले बीच में चलते रहते हैं । इसके सिवा उसकी आबादी इतनी कम हो गई है कि जैसे नैनीताल और लंधौर का एक्सीशन किया जा रहा है, उसी प्रकार मेरा सुझाव है कि अल्मोड़ा को भी एक्सीशन की सूची में शामिल कर लिया जाय । अल्मोड़ा सरीखा सुन्दर पर्वतीय स्थान शायद कम जगहों में

[श्री भक्त दर्शन]

होगा, वही एक स्थान म्युनिसिपल बोर्ड के पास होगा जहां पर वह अपना विकास अच्छी तरह कर सके। इस आशा के साथ मैं माननीय मंत्री महोदय से अनुरोध करूंगा कि एक्सीशन के सम्बन्ध में जो जरूरी कार्यवाही करनी है, वह शीघ्र से शीघ्र की जानी चाहिये।

अन्तिम बात जो मैं आपकी सेवा में उपस्थित करना चाहता हूं वह यह है कि आजकल छावनियों के अन्दर कोई आम आदमी जो बंगले का मालिक है, उसने अगर एक फूल-पत्ती भी तोड़ने की कोशिश की तो उसे पत्ती तोड़ने पर जुर्माना अदा करना पड़ता है। मेरे पास इस बात के कई उदाहरण मौजूद हैं जहां ऐसा अन्याय किया गया है। समझ में नहीं आता कि उसको उस बंगले का अधिकारी माना जाता है, वह उसका टैक्स देता है, यह सब बातें होते हुए भी इस तरह के प्रतिबन्ध उस पर लगाये जाते हैं। मैं आशा करता हूं कि मंत्री महोदय इन तमाम बातों पर बहुत ही सहानुभूति के साथ और उदारता के साथ विचार करेंगे और शीघ्र ही उस विधेयक को प्रस्तुत करेंगे जिसका कि वे आश्वासन दे चुके हैं। इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूं।

The Deputy Minister of Defence (Sardar Majithia): To begin with, I would like to say that in my very first speech, when I asked for the consideration of this Bill, I did say admittedly that the Bill does not solve the cantonment problem. It carries out certain amendments of a minor character with a view to improving the mechanism of the Act. This Bill, as I said then and I say it again—just carries out very minor amendments, but in the course of the debate I find quite a lot has been said and, if I may venture to say, some of it,—as a matter of fact, quite a lot of it—has been quite irrelevant to this amending Bill. I will therefore not concern myself with those aspects which are not relevant to this Bill, and will deal only with the other aspects which come under its purview.

To begin with, I should like to say that Shri Gadgil, a very dear and old Member of this honourable House, mentioned about the memorandum submitted by the military land and cantonments officers' association in 1950 to the Patil Committee. Now, at the very outset, I should like to say that this Government today is not guided by that association. This Government is elected by the people and responsible to the people through, of course, this House. Any association has a right to express itself which is guaranteed today by the Constitution. But what the Government does is entirely a different matter, and as I have said before this Government in particular is not guided by those references which Shri Gadgil has mentioned.

Shri Gadgil (Poona Central): You have borrowed all their recommendations. They are the instrument of your policy.

Sardar Majithia: Then, after this, Shri Gadgil again mentioned about the Patil Committee. I would not like to say anything much, but only this, that that Committee had issued a questionnaire to which replies were received, and those replies, if put together, would certainly be of such a volume and from which it would be clear that the opinions were got hold of and gone through as a result of which they made certain recommendations. Out of those recommendations certainly some of them were unanimous and there were certain recommendations which were not unanimous. In this Bill in particular, I have only brought forward those recommendations which were unanimously agreed to. I have no hesitation in saying that I would certainly look into this question again after excising the maximum possible area of the land in the cantonments which we do not require. I will cer-

tainly go into the question again and in the light of the experience that I will have, I hope to bring a comprehensive Bill later.

Apart from this, quite a lot of mention has been made about certain amenities. Now, I should like to say about them: that is quite a big problem which does require a lot of money. With the very limited resources we have, we are trying to do whatever we possibly can. But in no way let this be taken that we are not prepared to do any good. To give you an example, Delhi, in 1950-51, was given a grant-in-aid of Rs. 36,000 which was increased in the next year, and this year we made provision to give them Rs. 77,000. That is quite a big rise and, as you will see, Sir, we are making all possible attempts to give them more facilities.

My hon. friend Shri Bansal said quite a lot of things, but the one mistake he committed was that he gave an example and made a generalisation from that. Now that is a dangerous thing. You may have one example; but to generalise from that would give you entirely a wrong picture. For instance, apart from other things, he said about his childhood, to which my hon. friend Shri Pataskar has already replied—things are hard to forget, particularly our childhood inhibitions. But I should like to mention a couple of things which were exaggerated beyond all probability. For instance, he said that people can be thrown out after giving them twelve hours' notice. Well, I cannot see any point in that. People are not thrown out with that short notice. People are repeatedly asked, if they are in unauthorised possession, to vacate that. If they refuse, they are asked again and again and it is only as a last resort, when we find that persuasion has no effect, that we resort to measures which are drastic. But it is far away removed from facts: it is not twleve hours' notice.

Shri Bansal (Jhajjar—Rewari): I never said twelve hours: if you read the speech you will find.

Sardar Majithia: Thanks for the correction. In any case, he said short notice. As I said quite a long notice is given.

Then he referred to the enhancement of rents. I have checked up rents in Ranikhet in particular about which he mentioned. I find that in 1939 the rent of Sweet Bazaar was Rs. 300. In 1947 it was increased to Rs. 500 and in 1952 on a review we reduced it to the original amount, that is Rs. 300. In any case there is no enhancement of 300 per cent. To take another example.....

Shri Bansal: Mr. Deputy Speaker, Sir, I never referred to rents. I referred to lease terms: leases are not revised every three or four years.

Sardar Majithia: I would refer to another instance where they have been lowered, for instance, in the case of Abkari Bazaar, in the case of land below Main Street Bazar and Zaruri Bazaar. It is not that we take a view of sitting high and dry; but we certainly take into consideration the prevailing rents, prevailing values by which we go by.

Shri Bansal: But I was not referring to rents, Sir, I was referring to leases.

Shri Tek Chand: Are leases changed?

Shri Bansal: Leases are changed every 30, or 40 or 90 years.

An Hon. Member: That is not the case under the Transfer of Property Act.

Mr. Deputy Speaker: Let the hon. Deputy Minister go on. He is not replying to one single Member.

Sardar Majithia: Then I would like to reply to what my hon. friend Seth Govind Das said this morning.

Shri Bansal: That is better.

Sardar Majithia: All right; thanks for the consideration. He said that more buildings can be put up in the area in which the bungalows stand today. Well, I am in entire agreement with him, because the areas are so large that more buildings can be

[Sardar Majithia]

put up. But they have to go according to a certain plan and the development in the cantonments cannot be haphazard. Whereas we would like more buildings to go up to reduce the shortage of accommodation, you should not forget the fact that the value of that land will increase. With the increase in value of that land, the necessary tax will also have to go up and persons will have to pay enhanced taxes. They should be prepared for it. But what I find is that people are not too willing to give to Government a portion of what they get by way of enhanced value.

About agricultural land he mentioned it should be raised to 15 years. I should like to point out that from the original four years we have already increased it to ten years. If our experience shows that even this is not adequate, I would not mind looking into this point over again.

Several hon. Members referred to the amendments that they have tabled. At this stage I do not intend to go into them because I will be giving replies to them at the proper stage. But before I sit down. Sir, I should like to take this opportunity of saying something about bazaar committees. Now, the bazaar committees function more or less independently—I say more or less. I have not come across very many occasions when the recommendations of the bazaar committees have been over-ruled by cantonment boards. As a matter of fact, a convention has been set up by which the recommendations of this body are agreed upon by the board without discussion there; thus the civil population enjoy more or less autonomy. As Shri Gadgil said, I entirely support him in that, we should see that these committees should get more powers. I should like to assure the House on this point that administrative orders will be issued in the very near future. But they will be under the overall control, as I said, of the main body. This subservient body cannot enjoy more powers than the cantonment board.

Now, Sir, quite a lot has been said about democracy. It is a very vast subject and people in this House have taken the opportunity of venting their views on democracy.

So far as this Bill is concerned I have checked up every point, and I find that there is nothing that this Bill takes away, either joint electorates, adult suffrage or anything of that type. The only limitation is that the elected representatives are in a slight minority.

Shri Gadgil: Perpetual minority, statutory minority.

Sardar Majithia: All right, statutory minority from the nominated members.

As I explained in my opening remarks, cantonments have got a history behind them. Cantonments sprung up because the military was stationed there. Because of the military being there, certain people moved into that area for trade purposes, for their own benefits, as a result of which the population of a cantonment comprises of the military personnel and the civil personnel.

To completely disenfranchise the military personnel would not be quite proper, because the cantonment is primarily meant for their advancement. To introduce a sort of election into them would also be very very difficult, apart from the other difficulty which comes in, namely, that you might have a unit today which might move on to a distant place, to another cantonment, tomorrow. Then how are those people going to come and vote in the original place? It is very difficult. Therefore, it will not be possible to give them the same way of democracy as you can give to the others: with the result that in order to safeguard their interests you have to have certain nominations. And it is these nominations which are being objected to. I have said before—and I shouldn't like to say anything further —that this is still an open question and will be considered again. I should not like to say anything more on that.

Dr. Lanka Sundaram: How soon will it be considered?

Sardar Majithia: Well, you will soon come to know about it.

Shri Sarangadhar Das (Dhenkanal—West Cuttack): As soon as possible.

Sardar Majithia: That is a good answer!

Then, I should just like to say a word because some Members of the Opposition have said something quite derogatory about military officers. I feel I cannot let go this opportunity without coming to the aid of a poor person who is not represented here, who cannot stand up and hit back. They say that people in the army are snobbish, they do not care for the civilians. Well, Sir, as I said before, there may be individuals who are that way, and I do not defend them. My friend brought out a certain officer. I shall certainly look into that. And he may rest assured that the needful will be done. I am as zealous to safeguard the dignity of each and every Member of this House as they themselves are. On the other hand, to generalise from this one example and say that the whole lot of the army are that way, I must say, is a very gross exaggeration. We have our officers who have gained praise not only in India but, if I may venture to say so, outside India as well. It was one of our Indian officers who was selected for that very onerous post of Chairman of the Neutral Nations Repatriation Commission. It was again our army which was selected to be the Custodian Force there. Our officers are good, considerate and, if I may say so, they are as national as any one of us here, and patriotic. To say anything against those people would be a gross injustice, and I should like to request those hon. Members to bear this in mind: when you speak of the army or the air force or the navy please remember that they are your counterparts, they are part and parcel of you, there is nothing separate about them, they serve you and serve you well.

With these words, Sir, I should like to conclude my reply.

Shri N. C. Chatterjee: Sir, may I put one question to the hon. Deputy Minister? In the Minute of Dissent of Mr. Rajagopal Naidu it is said that the hon. the Deputy Minister had given an assurance in the meeting of the Select Committee that he was contemplating to bring a comprehensive measure to implement the suggestions of the Committee to delimit the cantonment area. Is it correct that the hon. the Deputy Minister gave that assurance? Will he repeat it on the floor of this House? If so, when will it be implemented?

Sardar Majithia: Well, Sir, I have already mentioned that in my remarks, and I have given that assurance over here as well. Beyond that I do not think it will be possible for me to go. Because, to give a very definite date about it is, if I may say so, not possible. And I should not like to promise something which I may not be able to fulfil. But I can assure again that the very earliest opportunity will be taken of introducing that Bill.

Shri N. C. Chatterjee: This Dissenting Minute is dated 10th December, 1952. And today is the 10th December, 1953.

An Hon. Member: First anniversary!

Shri N. C. Chatterjee: I hope that at least before the second anniversary runs out the Bill will be before the House.

Dr. N. B. Khare: कब बाप मरेंगे, कब बैल बटेंगे ।

Sardar Majithia: आपसे पहले ।

I should not like to say anything more than what I have already said, Sir.

Mr. Deputy-Speaker: The question is:

> "That the Bill further to amend the Cantonments Act, 1924, as passed by the Council of States, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: Now we will take the Bill clause by clause. There are no amendments to clauses 2 and 3.

Shri Tek Chand: I take it, Sir, that despite there being no amendment one could oppose clause 2. Have I your permission?

Mr. Deputy-Speaker: Certainly.

Clause 2.—(*Amendment of Section 2*)

Shri Tek Chand: Sir, clause 2(a) gives for the first time the definition of "boundary wall" which means "a wall which abuts on a street and which does not exceed eight feet in height". If this definition is retained, (*Shri Gadgil*: You are against a dead wall!) it will be detrimental to the very object of the Cantonment Act. I think that Government by introducing this definition is introducing something which will make the Act, to that extent, unworkable. If you will be pleased to turn to section 194 of the Act, it says:

> "No boundary wall, hedge or fence of any material or description shall be erected in a cantonment without the permission in writing of the Board."

Sub-section 2.

> "A Board may, by notice in writing require the owner or lessee of any land in the cantonment—
>
> (a) to remove from the land any boundary wall, hedge or fence which is in its opinion, unsuitable, unsightly or otherwise objectionable; or
>
> (b) to construct on the land sufficient boundary walls, hedges or fences of such material, description or dimensions as may be specified in the notice; or
>
> (c) to maintain the boundary walls, hedges or fences of such lands in good order;"

Now, by means of this artificial definition of boundary wall, you confine it only to that wall which abuts on the street. Supposing I happen to have a house and on three sides there is land of private owners and on one side there is the street. Thus, that house of mine has one boundary wall only according to this definition, the one that abuts on the street. The other three boundary walls, though they may be demarcating my land and my neighbour's land, nonetheless, they will cease to be boundary walls after this definition is accepted. The result will be, those three boundary walls may have been allowed to fall into decay, they may be bad, they may be ugly, they may be dangerous and the board becomes impotent after this definition is introduced. This word 'boundary wall' does not require a definition. A boundary wall is a boundary wall whether it abuts on the street, or it abuts on private lands owned by others. Therefore, this is a provision which has to be avoided altogether, because boundary wall is not an expression which requires statutory definition. By reducing the ordinary connotation of the word "boundary wall," the Cantonment Board has disabled itself, as under section 194 it cannot direct that there should be a boundary wall on the three sides which do not abut on the street. If there are boundary walls, it cannot direct that they are in a dilapidated condition or are not proper. The result is, by adding this new definition, the Board has, to a very great extent disabled itself from doing things which are necessary in the interests of health, sanitation and safety.

Mr. Deputy-Speaker: Has the hon. Minister anything to say?

Sardar Majithia: I have nothing very much to say except that it was also existing previously though it was not defined. This is just an amplification of what a boundary wall is.

Shri Tek Chand: Contraction, not amplification.

Sardar Majithia: The rest is just building and comes under that definition.

Mr. Deputy-Speaker: Is it necessary to put clauses 2 and 3 separately? The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 4.—(*Amendment of Section 4*)

Shri N. B. Chowdhury (Ghatal): I beg to move:

In page 1, line 19,

(i) *omit* "and"; and

(ii) *after* "Board" *insert* "and the people of the locality".

Sir, we know the character of the Cantonment Board. It has a nominated President, a nominated official majority. There has been some improvement made by the Select Committee in the other House by making a provision for the consultation of the State Government whenever there is any idea of separating any area or including any area within the jurisdiction of a particular cantonment. That is not sufficient because the Board itself may not have the opinion of the representative of the people. In these cases, it is necessary to ascertain the opinion of the people of the locality also. The civil population in that area may not be properly represented in that particular Board. I think it is necessary to consult not only the State Government and the Board, but the representatives of the people of the locality also. I have moved an amendment that the opinion of the local people should also be taken into consideration before taking any area inside a cantonment or excluding any area from the previous area of that particular cantonment.

Mr. Deputy-Speaker: Amendment moved:

"In page 1 line 19.

(i) *omit* "and"; and

(ii) *after* "Board" *insert* "and the people of the locality".

Shri S. S. More: I have not suggested any amendment; but I want to bring one important matter to the notice of the Minister in charge. In clause 4 of the Cantonments Act, the marginal note is Alteration of limits of cantonments. The Central Government can, by notification, alter the limits of Cantonment Boards or add to the limits of the cantonment areas or exclude some portion from the areas subject to their control. According to this amendment to clause 4, this notification will be issued by the Central Government after consulting the State Government and the Board concerned. You know, Sir, that every area is under the jurisdiction of some body or other, either a neighbouring municipality, or in the case of rural areas, under the jurisidiction of the district board or the taluk board. My submission is this. Whenever any slice of any area subject to the jurisdiction of a neighbouring authority is to be incorporated inside a cantonment area, it is only meet and proper and fair on grounds of natural justice that that particular authority should be consulted and its consent taken. You know, Sir, that under the Constitution, whenever any territorial change is to be effected, so as to affect the area of any State, that State ought to be consulted and its consent practically taken for the alteration. There is no such provision here. A sort of autocratic power is being given. I do not understand the propriety of consulting the Board concerned. The Central Government is not an authority on the spot. The Board concerned will be making some proposal for the acceptance of the Central Government and the Central Government acting on the recommendation or representation of the Board concerned, will be issuing this notification. Again consulting that Board is absolutely meaningless. Because, the Board is the claimant and asking the claimant whether he should have this particular area which he is claiming, is ridiculous. Therefore, my submission is that the Government has to safeguard

[Shri S. S. More]

not only the interests of the Cantonment Board authorities, but also the interests of all the local bodies in the country, and, as stated in the Constitution, even the panchayats. Supposing the village is under a panchayat, the Government, on the exparte representation of the Cantonment Board, will absorb that village under the Cantonment Board, and the panchayat will be hanging in the air like Trisanku. I believe that there will be no land or territory which is not within the jurisdiction of any local authority. In the case of those areas which are under the jurisdiction of any local authority, the Government should consult that particular local authority which is going to be affected along with the people. Why do we say that the people ought to be consulted? Let them decide under whose authority they will live. It will be a sort of a referendum, ascertaining in a democratic manner the will of the people. Therefore, I would rather support that amendment. I would further make a suggestion to the Government that they should, of their own accord, amend this particular clause and at least lay down specifically a convention by their own executive orders that whenever a territory or some part of territory is subject to the jurisdiction of any local authority or local body, is to be incorporated in a cantonment, then this particular local authority should be consulted. The same thing may happen also. When a local authority's means are limited, the Cantonment may say: "Well, we want to exclude from our jurisdiction this particular area." Now, what will happen to the people in that area. They will be deserted, left away, kicked out by the Cantonment authority, because they will be excluded by the Notification. The other body will not be prepared to accept them. If there are certain amenities provided in that particular area, when it is excluded from the Cantonment, there will be no one to take care of the public buildings etc., and therefore I say that a sort of no man's land will be created between the Cantonment area and the adjoining area. Therefore, I would make an appeal to the Deputy Minister in charge to see whether my argument appeals to him. At least if he gives an assurance that proper orders will be issued in that respect implementing in substance what I have said, for the present I will be satisfied with that.

Shri N. M. Lingam (Coimbatore): I have an Amendment to that effect.

Mr. Deputy-Speaker: I will call upon Mr. Lingam also to move his Amendment, and once for all the Deputy Minister may reply.

Shri N. M. Lingam: I beg to move:

In page 1, line 19,—

(i) *omit* "and"; and

(ii) *after* "concerned" *insert* "and neighbouring local bodies".

I shall be very brief. I thought it was quite necessary that before enlarging the jurisdiction of the Cantonment Boards area, the Central Government should consult not only the Cantonment Board affected, but also the neighbouring local bodies.

It is true, Sir, that according to the Act, the provincial Government, before forwarding its views to the Centre, has to obtain the views of the public of the locality affected.

Shri S. S. More: Is there any law to that effect?

Shri N. M. Lingam: In the Cantonments Act as at present, there is a specific provision that the local Government, before forwarding its views to the Centre, should ascertain the opinion of the public and apprise the Central Government of the reactions of the locality which is affected either by excision of the existing Cantonment area or by inclusion of new areas. But, even so, it is necessary that the statutory authority affected should have a voice in the matter. It is usually a Municipal body or a Panchayat Board. It is a salutary principle for the Centre to know first hand the reactions of the statutory body, because it is the Panchayat or

the Municipality that has to bear the brunt of the new area if a portion of the Cantonment is excised and transferred to the Municipal area.

We have also to remember that the standard of services in the Cantonment area are generally of a high order. The sanitary conditions, public health services and other amenities are maintained at a high level of efficiency, and we must see that the standard around the Cantonment area is not lowered by transferring a burden to the local authorities in contiguous areas. So, to the Centre to come to a proper decision on this question of change of jurisdiction, it is best to have the views of the local body affected on all aspects, financial and otherwise. I know, Sir, certain local bodies have been financially seriously crippled by the transfer of areas to them and, on the other side, we have to see that a productive area in an existing local body is not taken over by a Cantonment area. For instance, it is possible for the Cantonment area to lay hands on a highly remunerative area, an area where industries are concentrated, so that they may get a good slice of the revenue of the local body by way of licence fees and other taxes. So, from the point of view of revenue, geography and proper development of the local areas concerned as well as of the Cantonment Board, it is absolutely necessary that the Central Government gets the views of the local authority not through the State Government, but direct.

Sir, I move.

Mr. Deputy-Speaker: Now, the other Amendment by Mr. Bhakta Darshan. If he wants to speak, he can speak. If he wants also to move, it is only another form of the Amendment already moved.

Shri Bhakta Darshan: I beg to move:

In page 1, line 19,

(i) *omit* "and"; and

(ii) *after* "concerned" *insert* "and the contiguous local authority"

उपाध्यक्ष महोदय, मैं अपने संशोधन को इन शब्दों के साथ प्रस्तुत करता हूं कि मेरा जो मंतव्य है, वह श्री लिंगम और श्री एन० बी० चौधरी के संशोधनों से पूरा हो जाता है, लेकिन मेरा अनुमान है कि मेरे संशोधन की जो शब्दावली है, वह ज्यादा उपयुक्त है । श्री एन० बी० चौधरी का कहना है : "and the people of the locality" । मैं भी इस बात में सहमत हूं कि जो वहां उस इलाके की जनता है, उसकी राय ली जाय; उसकी राय लेने के वास्ते कौन सा साधन अथवा संस्था होगी, इसका भी स्पष्टीकरण किया जाना चाहिये और मैं समझता हूं उनके संशोधन में यह त्रुटि है । श्री लिंगम ने अपने संशोधन में कहा है : "and neighbouring local bodies" । मेरी समझ में नहीं आया कि किस कैन्टूनमेन्ट बोर्ड के समीप एक से अधिक म्युनिसिपल बोर्ड हो सकते हैं; कई लोकल बाडीज साथ नहीं हो सकतीं, ऐसा मेरा विचार है और इसलिये मैंने अपना संशोधन रखा है : "and the contiguous local authority" । चाहे उस में काटना हो या चाहे उस संस्था को देना हो, यह तो अनिवार्य है कि वहां की संस्था का भी उस में सहयोग लिया जाय और उसका परामर्श लिया जाय । मैं समझता हूं कि इसमें माननीय मंत्री महोदय को ऐतराज नहीं होना चाहिये और इसको स्वीकार कर लेना चाहिये ।

Sardar Majithia: Mr. Deputy-Speaker, the position is quite simple. I am sorry I should have dealt with this in my opening remarks, and possibly this may not have been moved, but the position is that the State Government concerned always gets the reactions not only of the local population, but also any local Board which may be there, and it is only after when they have agreed to it, that they pass on their agreement to

[Sardar Majithia]

the Central Government and therefore that question will never arise.

Mr. Deputy-Speaker: Is it necessary to put any of these Amendments to vote?

Shri N. B. Chowdhury: Yes, Sir.

Mr. Deputy-Speaker: Mr. Lingam.

Shri N. M. Lingam: I do not press.

Mr. Deputy-Speaker: Mr. Bhakta Darshan.

Shri Bhakta Darshan: I am not pressing.

Mr. Deputy-Speaker: The question is:

In page 1, line 19,

(i) *omit* "and"; and

(ii) *after* "Board" *insert* "and the people of the locality".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5.—(*Amendment of Section 12*)

Shri N. B. Chowdhury: I beg to move:

In page 1, line 27,

for "a Military Officer" *substitute* "an Officer".

Mr. Deputy-Speaker: I will ask the other hon. Members also who have tabled Amendments, and once for all on all the Amendrents as well as the Clause discussion will be allowed, instead of asking Amendment after Amendment.

Shri N. B. Chowdhury: I have only this Amendment.

Mr. Deputy-Speaker: I will call him again.

Mr. Bhakta Darshan.

Shri Bhakta Darshan: I beg to move:

In page 1, line 27,

after "Military Officer" *insert*—

"who has previously served as a member of the Cantonment Board".

In page 1, after line 29, add—

"Provided further that if a vote of no-confidence is passed against an Executive Officer, by the Cantonment Board with which he is serving, he shall immediately be transferred to some other Board; and in case similar votes of no-confidence are passed against him by two more Cantonment Boards, he shall be dismissed."

Mr. Deputy-Speaker: Hon. Members may address themselves to the Clause as well as the Amendments. Amendment moved:

In page 1, line 27,

for "a Military Officer" *substitute* "an Officer".

5 P.M.

Shri N. B. Chowdhury: Here it has been provided that during the absence of the Military Lands and Cantonments Officer a military officer may be appointed as the Executive Officer for a period not exceeding three months. The expression "not exceeding three months" was not in existence previously. This is an improvement, but why should a Military Officer be compulsorily appointed. We have already pleaded that the Board should be further democratised, and that it should be an elected body, with an elected president. But that has not been accepted. However, we do not see any reason why an officer who is competent to deal with the necessary work, an officer who might have gained experience, having been associated with the cantonment administration for some time, or any

other person who is an elected member of the Board should not be entrusted with the work. The work of cantonment administration being of a technical nature, the executive officer has to know many things about the rules, and the various Acts prevailing in the cantonment area. So, a military officer who may not know all these technicalities cannot successfully carry on his duties, and satisfy the needs of the people. So it should not be made obligatory to appoint a military officer. Even a civilian officer who may have received the necessary training in public administration or known the technicalities of administering local bodies or any other person who might be residing in that cantonment and might have acquired sufficient experience with regard to the administration of that particular cantonment, can be appointed as the executive officer. I therefore submit that the word 'military' should be removed, so that there may be some scope for other persons also who are acquainted with the work of cantonment administration, to serve as executive officer, during this period.

श्री भक्त दर्शन : उपाध्यक्ष महोदय, मुझे यह निवेदन करना है कि पहले संशोधन के सम्बन्ध में मैं ने यह रक्खा है कि "बीच में अन्तर्कालीन व्यवस्था के तौर पर अगर किसी फौजी अधिकारी की नियुक्ति भी की जाय तो उस को पहले कभी कैन्टोनमैन्ट बोर्ड का मेम्बर जरूर रहा होना चाहिये"। जैसा कि पहले मैं ने अपने निवेदन में बतलाया था कि सारी सत्ता एग्जिक्यूटिव आफ़िसर के हाथों में रहती है। अगर वह अनुभवहीन हुआ तो मैं समझता हूं कि और भी प्रशासन में खराबियां आ जायेंगी। जैसा कि सभी को मालूम है कैन्टोनमेन्ट बोर्ड में सरकारी कर्मचारियों का बहुमत होता है, इसलिये उन में से ऐसा अधिकारी छांटा जा सकता है जो कि कुछ दिनों के लिये, जैसी कि व्यवस्था की जा रही है कि अधिक से अधिक तीन मास के लिये, एग्जिक्यूटिव आफिसर का कार्य सम्पादित कर सके। मैं समझता हूं कि इस में कोई विशेष अड़चन नहीं पड़ेगी। इस से प्रशासन का स्तर अच्छा हो जायेगा और कार्य में भी सुविधा होगी।

दूसरे संशोधन के सम्बन्ध में मेरा निवेदन यह है कि अभी तक यह व्यवस्था है कि जो एग्जिक्यूटिव आफ़िसर होता है उस की नियुक्ति केन्द्रीय सरकार करती है। मैं नहीं जानता कि केन्द्रीय सरकार का इस बारे में क्या प्रोसीजर है; कोई पब्लिक सर्विस कमिशन बनाया गया है या नहीं, लेकिन जैसा मैं ने पहले अपने वक्तव्य में स्पष्ट किया था कि अभी तक एग्जिक्यूटिव आफिसर्स पर कोई अंकुश नहीं है, उन पर कोई नियन्त्रण नहीं है, इस लिये मैं अपने संशोधन के द्वारा इस के अन्दर यह रखना चाहता हूं कि अगर कोई कैन्टोनमेन्ट बोर्ड किसी एग्जिक्यूटिव आफ़िसर के विरुद्ध कोई अविश्वास का प्रस्ताव पास करदे तो उस को वहां से फौरन स्थानान्तरित तो जरूर कर दिया जाय; और अगर उस के विरुद्ध दो, तीन बार अविश्वास प्रस्ताव पास हो जाय तो उस को सर्विस से निकाल दिया जाय। इस की बहुत अधिक व्याख्या करने की आवश्यकता नहीं है। मैं समझता हूं कि माननीय मंत्री महोदय इस पर अवश्य विचार करेंगे।

Shri Tek Chand: I feel that the proviso is both unnecessary and also not proper. The proviso which is contemplated in this Bill reads:

> "Provided that where a member of the Military Lands and Cantonments Service is not readily available for such appointment, a Military Officer may be appointed as the Executive Officer for a period not exceeding three months:".

The term "a Military Officer" means any officer, howsoever inexperienced or subordinate, and if I might say, he may even be a non-commissioned

[Shri Tek Chand]

officer, because even a non-commissioned officer is a military officer. Therefore, to fill the post of executive officer, even if it happens to be for a period of three months, by a very subordinate and inexperienced person, and to saddle upon him the responsibilities of an executive officer, as contemplated in the Cantonment Act, I submit, is conducive to confusion and maladministration. You will find that under Section 12 of the Act, the appointment of the executive officer is made by the Central Government or by such person, as the Central Government may authorise in this behalf, from the Service of Executive Officers constituted by rules under Section 280. According to those rules, we find that certain qualifications have been given. For instance, under rule 5, it is stated:

> "Appointments to the Service shall be made by the Central Government by selection from among candidates recommended by the Federal Public Service Commission"—now, of course, the Union Public Service Commission.

When such rules are there, and competent persons are available, I do not think there is likely to be at any time dearth of persons possessing the usual qualifications of an executive officer. It should not be difficult to have competent executive officers, who understand the Cantonment Act and the rules made thereunder I feel therefore that we should not entrust this very responsible function to a man who may be the junior most military officer.

Shri N. M. Lingam: Mr. Deputy Speaker, Sir, I think there is a misconception about the scope of this amendment.

Shri S. S. More: Misconception with whom? With Government?

Shri N. M. Lingam: About the scope of the amendment.

Mr. Deputy-Speaker: Misunderstanding.

Shri N. M. Lingam: I stand corrected, if the expression I used is not all right.

The Cantonment Board does contain a nominated element, it has several officers nominated by the Government, in addition to the Executive Officer. It also has a Health Officer, and an Engineer. Under the Act, the powers of the Board and its president could be delegated to any one of the officers or members. But Government do not want to do it. It could also authorise one of the nominated members to act for a period not exceeding three months, if no executive officer is readily available for appointment. But it is, in order to widen the scope for the choice of a proper executive officer, even though he is to be appointed temporarily, that this Section is sought to be amended. The real intention is to see that the most suitable person, if one is not available within the Board, is appointed as the Executive Officer, in the vacancy of a permanent Executive Officer. So, it is wrong to assume that only an inexperienced officer will be appointed, just because the clause provides for any military officer to be appointed. The real intention behind this clause is that Government should have a free hand, so that the most suitable person may be appointed for that post. I think therefore that the Opposition amendment is not necessary.

Sardar Majithia: Mr. Deputy-Speaker, Sir, regarding the amendments moved, I will take the amendment by Shri Chowdhury over there first. To begin with, this is an appointment which only visualises a temporary vacancy. For instance, the executive officer falls sick or goes on leave. You have to fill in that gap by an officer only for that short period, and therefore the period of three months has been laid down. As regards the point that it should be 'any officer', I am afraid I am not able to accept that because he must be an officer who understands the military aspect of the question in the cantonment and therefore he must be a military officer.

So far as the other amendment is concerned and the reference made by my hon. friend, Shri Tek Chand, that he can be any officer, even a non-commissioned officer, that is not a fact, because an officer as defined in this Act means a commissioned officer and not a non-commissioned officer. So that will never arise. And I hope you will give us the credit that we will put in only a person who is suitable for that job and not an inexperienced officer. Therefore, I feel that these amendments are not necessary.

As regards the amendment of Shri Bhakta Darshan, about the non-confidence motion, I beg to submit that these are officers who are controlled by the Central Government and are amenable to all the Acts and the rules that are there for the governing of the other officers, and therefore, even that is not necessary.

Mr. Deputy-Speaker: Need I put the amendment of Shri N. B. Chowdhury to vote?

Shri N. B. Chowdhury: Yes, Sir.

Mr. Deputy-Speaker: The question is:

In page 1, line 27,

for "a Military Officer" *substitute* "an Officer".

The motion was negatived.

Mr. Deputy-Speaker: Shri Bhakta Darshan's amendment.

Shri Bhakta Darshan: I am not pressing my amendments.

Clause 5 was added to the Bill.

Mr. Deputy-Speaker: Why is the voice so feeble?

Shri S. S. More: They have no heart in the Bill.

Clause 6 was added to the Bill.

Clause 7 —*(Amendment of Section 28)*

Mr. Deputy-Speaker: We have had a long discussion over this. So generally hon. Members will be brief.

Shri N. B. Chowdhury: Sir, we oppose the entire clause. We think it is necessary to delete the clause altogether. Here the extra provision has been made that any person who is a member of any other local authority—may be a local body—would be debarred from becoming a candidate for election to the Board. Sir, this is an addition to the provisions which exist in the original Act describing the disqualifications of members for election to the Board. There are so many disqualifications. This was not in existence in the previous Act. This has been provided for in this amending Bill. We do not understand why there is a necessity to make a provision like this.

Now, there are persons who are serving very efficiently in more than one institution, more than one local body, which may exist side by side. So it is not at all in keeping with the provisions of article 13 of the Constitution which describes the fundamental rights.

Mr. Deputy-Speaker: Will there not be conflicting interests if they are side by side? Suppose there is some boundary dispute.

Shri N. B. Chowdhury: Here is a general provision If you take that into consideration, then there should have been a qualifying word to indicate that in case there is a dispute between the local bodies on conflicting interests...

Mr. Deputy-Speaker: It may arise later.

Shri N. B. Chowdhury: In that case the Member concerned may not have the right to vote or participate in the proceedings of the meeting. That provision may be made. Nothing of that sort exists. Simply debarring from becoming a candidate for election to the cantonment board is not a proper thing, and we think it is against the canons of democracy. We cannot support it.

Shri S. S. More: Sir, I support the constitutional argument which has

[Shri S. S. More]

been advanced. If we look to section 28, every person who is on the electoral roll of a cantonment is entitled to be a candidate, subject to certain exceptions mentioned. As a matter of fact, Sir, I can point out that these disqualifications are more sweeping than the disqualifications which have been mentioned in our Constitution for a man to become a Member of this House or the Member of a State legislature. I will refer you to one clause—clause (a).

> "No person shall be qualified for election or nomination as a member of a Board, if he has been dismissed from Government service and is debarred from re-employment therein; or is a dismissed servant [of a Board or an authority which before the commencement of the Cantonments (Amendment) Act 1936, exercised and performed the powers and duties of a Cantonment Authority under this Act]".

Now, if we go to the relevant provisions of the Constitution and the relevant provisions, particularly sections 7 and 8, of the Representation of the People Act, section 7 does create a disqualification, but under section 8 of the Representation of the People Act there is a proviso that a person who has been dismissed for corruption or a person who has been dismissed for disloyalty to the State alone shall not be entitled to be a candidate either for a State legislature or to the House of the People. A Government servant dismissed for any other cause has to produce a certificate from the Election Commissioner saying that he was not dismissed for corruption or disloyalty. Here a sweeping statement has been made. You know, Sir, the attitude of the official majority. A Government servant who has honestly tried to serve the people may incur the wrath of the bosses dominating the Cantonment Board and he may be dismissed. There may be no moral turpitude. As a matter of fact, a man may be dismissed for his other views or for his straightforwardness or something else. It may be treated as a sort of disqualification by the administrators. Such a man is entirely debarred for life—not for any particular period. He is debarred for life from becoming a member, being elected or nominated. My submission is—I am not going into this clause, Sir—that these original provisions are already reactionary, rigid and retrograde. In addition to that, another provision is being sought to be added by this clause 7.

Now you asked the question, and very properly, 'suppose a conflict ensues'. If a conflict ensues between the interests of two local authorities, the man may find himself in a very awkward situation. Take, for instance, the provision of our Constitution. Article 101 says that no person shall be a Member of both Houses of Parliament together. No person shall be a Member, at the same time, both of Parliament and of a State legislature. But when is he given that option? A man may be a candidate for both Houses. A man may be a candidate for the House of the People and for a State legislature. He might get himself elected. There are many instances of persons who have been elected both to the House of the People and a State legislature. Then the Constitution says: well, after he is elected, within a certain time, he has to make a choice as to whether he will remain in the House of the People or he will remain in the State legislature. Here it is initial disqualification. He cannot be a candidate even. I can very well understand the other thing. As a matter of fact, I am one of those who support the view that persons must be pinned down to a particular institution. I would rather say that a Member who is in Parliament should not be allowed to be a Member of any local authority, because he cannot devote so much attention to the affairs of the local

authority. Therefore, he stands, in a way, between two stools; that should not happen. But this is assured. Supposing a man resides in the area of a panchayat but he has got a business in the area of a cantonment authority. He might be a member of the panchayat and in order to safeguard his business interest, as a representative of the business community in the cantonment area, he may offer himself as a candidate for the cantonment election. Possibly he may get elected. Then, Government may say, 'You are a member of a local authority, you now make up your mind whether you want to be a member of the panchayat or whether you would like to shoulder the new responsibility thrown on your shoulders by the electorate of the cantonment.' I quite understand that sort of logic. But, here it is autocratic and unconstitutional, barring persons whose names are on the electoral list from contesting the elections. As a matter of fact, it is just a caucus being created. Possibly a man working in the adjoining local authority may have ample knowledge and experience. I do not understand why Government should place such a man under a disadvantage.

There is another point, Sir. Cantonment Board is also a local institution. Is there any other provision in the whole of this country which says that a person shall not be a member of two municipalities or that a person should not be both a member of a local authority and a municipality? In the absence of any such provision, my submission is, that it is only saddling those persons who are members of a local authority adjoining a cantonment area and debarring them from contesting the elections in the cantonment. It is absolutely unfair and, if I may say so, unconstitutional. Of course, I cannot raise it as a point of order as the practice of the House has been that on all points of a matter being *ultra vires* or on constitutional things, the Chair refuses to give any ruling. But, I have got my own opinion, Sir, that this matter will conflict with the Constitution and it is likely to be knocked out in a proper court if the matter is taken up.

Sardar Majithia: Mr. Deputy Speaker, Sir, you have rightly hit the nail on the head when you said that supposing there is a conflict all that we are trying to do is to ask the members to make up their minds even before, so that there should be no conflict at all and they should decide which body they want to be members of even right from the beginning and not go on with unnecessary expenditure which they generally incur to get themselves elected.

Shri K. K. Basu (Diamond Harbour): Very good of you.

Shri S. S. More: Constitutionally not wrong?

Sardar Majithia: That is not constitutionally wrong, because as you said there is already a section that you cannot be member of two Houses or a Member of this House and the State Legislature. That analogy holds good.

Mr. Deputy-Speaker: I should tell hon. Members that whoever wants to have a clause moved must support it by a good voice. Am I to divide one against the other. I will put it to the vote of the House. The question is:

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clauses 8 to 24 were added to the Bill.

Clause 1— (*Short title*)

Amendment made:

In page 1, line 3, for "1952" substitute "1953".

—*[Sardar Majithia]*

Mr. Deputy-Speaker: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and the enacting Formula were added to the Bill.

Sardar Majithia: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: The question is.

"That the Bill, as amended, be passed."

The motion was adopted.

REPEALING AND AMENDING BILL

The Minister of Law and Minority Affairs (Shri Biswas): I beg to move:

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by the Council of States, be taken into consideration."

Sir, this is one of the usual Bills which do come up before Parliament from time to time in order to remove from the statute book Acts which have either become obsolete or which have spent themselves out and so on. You find three schedules in the Bill. The first schedule deals with Acts which are going to be repealed; the second schedule includes a number of Acts which are declared to be no part of the laws of India and the third schedule contains a list of Acts which are proposed to be amended in the manner indicated.

[MR. SPEAKER *in the Chair*]

Sir, I do not think that there is any objection in respect of any of the Acts included in these three schedules. It is more or less of a formal nature and I move that the Bill be taken into consideration.

Mr. Speaker: Motion moved:

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by the Council of States, be taken into consideration."

Shri V. P. Nayar (Chirayinkil) *rose*—

Mr. Speaker: I think if the hon. Member wishes to make a speech, we shall adjourn at this stage and take up the other subject because there are hardly two or three minutes.

Shri V. P. Nayar: I will just speak for a minute.

An Hon. Member: He may be on his legs.

Mr. Speaker: I have not allowed him to speak. I will have it in mind that he was on his legs.

PARLIAMENTARY CONTROL OF PUBLIC CORPORATIONS

Dr. Lanka Sundaram (Visakhapatnam): I am raising this debate on Parliamentary control of Public Corporations with a sense of tremendous urgency. This is not an academic discussion, Sir, nor am I speaking with any sense of levity or only with the desire to score a few debating points. Frankly, Mr. Speaker, Sir, my intention is to strengthen.....

Mr. Speaker: I just forgot to mention one thing. The matter is, of course of great importance and I find a large number of hon. Members are anxious to say something. Therefore there should be some time limit. I do not want just now to impose any time limit but we must bear in mind that the discussion must end at some time.

Dr. Lanka Sundaram: I am entirely in the hands of the Chair, Sir.

Shri S. V. Ramaswamy (Salem): The mater is of very great importance and it involves a lot of expenditure of the public money in these corporations. Therefore the debate

may be extended during the next week, if one hour is not enough. That is my submission, Sir.

Mr. Speaker: I feel a little confounded. I certainly agree that the matter is one of great importance. But I do not know whether the debate should be discontinued and we get a day at a very late stage later on, because if it loses continuity, then the effect is gone. That is how I feel about it. I shall see as to how matters proceed. And, if necessary, we might sit for a little time more today—very little because I do not like all of us to be late to return. I may say that the Minister may reply tomorrow. That would be a better arrangement. Let there be continuity instead of putting it off to next week.

Dr. Lanka Sundaram: Mr. Speaker, I was saying that I am raising this discussion with a sense of urgency and not merely to score a few debating points. Frankly, Sir, I was saying a minute ago that my intention is to strengthen the hands of the Ministers *vis-a-vis* the departments, and more than this, Sir, to put beyond a shadow of doubt the competence of the House of the People to investigate into the working of the public corporations which have come into existence during the past few years. There is not one single Ministry which is concerned with this debate. I have listed down here as many as 9 Ministries —maybe there are one or two more— which may be concerned with the question under discussion. The Production Ministry, the Defence Ministry, the Irrigation Ministry, the Transport Ministry, the Communications Ministry, the Natural Resources and Scientific Research Ministry, and even the Rehabilitation Ministry are involved in the discussion which is now taking place. To show the tremendous importance of the discussion, I have listed down here, in particular, the corporations and companies for which the Production Ministry is responsible:

Sindri Fertilisers and Chemicals

Penicillin Factory

D. D. T. Factory

Dry Core Cable Factory

Machine Tools Factory at Jalahalli

Hindustan Shipyard.

It is not my intention, Mr. Speaker, to give the complete list of the corporations and companies which will come within the purview of this discussion. I have only stated these in order to pin-point the great importance of the vast sums of money—of the national resources involved in the operation of these companies.

Ever since India declared for nationalisation and mixed economy, various corporations and companies have come into existence. In the first place, there is a category for which the entire finance is found by the Government, that is the taxpayer's money, *e.g.* the Damodar Valley Corporation, Hirakud, Sindri Fertiliser, Hindustan Cable, Hindustan Aircraft etc. There is another category, in which there is part Government investment, that is in the sense of being tax-payer's money, and part private investment. I have got two examples for this—the Hindustan Shipyard and the Tata Locomotive and Engineering Co. Finally, Sir, from another angle, there is a third category—that is a category of establishments not incorporated under the Companies Law most times, such as the Chittaranjan Locomotive Works and the ordnance factories of the Defence Ministry, which are entirely departmental institutions without any autonomy at all. I have made an attempt to arrive at the probable investment of public money involved in all these corporations, but I regret to say I could not get any authoritative final figure. I will quote here a few figures in respect of a few of these corporations which will illustrate my point.

Bhakra-Nangal	(July 1953)	Rs. 51 crores
Damodar Valley Corpn.	(Sept. 1953)	Rs. 47·45 crores

[Dr. Lanka Sundaram]

Hirakud (September 1953) Rs. 25·48 crores

Hindustan Shipyard ... Out of Rs. 14 crores of appropriation of Planning Commission, 3 to 4 crores of rupees have been spent.

Sindri Fertilisers & Chemicals Rs. 27 crores.

There is a steel plant project shortly to come into existence and it is estimated to cost Rs. 80 crores. You know, Sir, that a second steel plant plan was announced in yesterday's papers. In other words, there will be about 400 or 500 crores of public money involved in the capital structure of these institutions.

The Minister of Finance (Shri C. D. Deshmukh): Sorry to interrupt. Bhakra-Nangal and Hirakud are not corporations; they are not companies either. The money is spent by the Government concerned. In the case of Bhakra-Nangal, it is spent by the Punjab Government and in the case of Hirakud by the Orissa Government.

Dr. Lanka Sundaram: Where does the Central Government come in?

Shri C. D. Deshmukh: In the case of Bhakra-Nangal, the financial control and a certain amount of technical and administrative control are through a joint Board of Rajasthan, Punjab and PEPSU *plus* the Central Government —that is only for administrative purposes. Therefore, those figures will have to be deducted from the total.

Dr. Lanka Sundaram: I am grateful to the hon. Finance Minister. There is lack of a common pattern for all these corporations and companies and I am only developing a general approach to the problem, and I quite concede the point that there are what you call Special Boards, several provincial Governments, sometimes the Government of India coming in these projects.

Sir, from another angle this question is very fascinating. The Americans have arrived in Damodar Valley Corporation and Bhakra-Nangal; the British for the Telephone Industries Ltd.; the Germans for the Steel Plant; the French for the Shipyard; the Swiss for the Ambernath Machine Tools Factory. I am most anxious to draw the attention of the House to one important point, namely, the manner in which these corporations and companies are sought to be incorporated first. I will not have the time to go into details, but it is clear that departmental heads, both at the Centre and in other places in India, are entrusted with the preliminary negotiations and the preliminary plans being drafted for these corporations and companies, and it is not my purpose to go into the juicy scandals, which are very well known to the country, as to the manner in which officials of the Government have been going abroad very frequently to bring into existence the preliminary engagements with foreign firms etc., and also in regard to the purchase of foreign equipment even before the corporation is incorporated. The point I am making is this. From the beginning I have noticed that the Ministers do not come into the picture at all—certainly not the House of the People—as a general broad proposition, but there are exceptions, Mr. Speaker, and I would only like to pinpoint the major issues involved in this discussion. Once these things are incorporated or brought into existence either under the law of the land or by executive action, these officers become absolutely impervious to public control and public criticism, and jobs are given in a manner which, I am sure, this House cannot possibly be happy about. I know the case of one eminent I.C.S. officer of the Food Ministry now building ships. I know the case of another who was recently in charge of Sindri, who then came to the Secretariat and who is now twiddling his thumb as a Member of the Revenue Board of a State Government—all within a period of one year. There is the case of the Secretary-General of the External Affairs Ministry who is the Chairman

of the Shipyard Company today. I need not waste the time of the House at the manner in which a Police officer was put in charge of Civil Aviation till about a year ago. From the beginning these corporations are run *ad hoc* by the officers of the Government and neither the Ministries nor the House know the correct picture. As I said, we don't know...

Shri B. Das (Jajpur-Keonjhar): The House will come into the picture.

Dr. Lanka Sundaram: I am grateful to the father of the House, and I have the greatest respect for him for the work he has done as Chairman of the Public Accounts Committee, and I am sure I will be seeking his assistance—his reports—very soon in the course of this discussion.

These companies and corporations are run without any regard to the principles of commercial management and considerations of economy and efficiency. Vast trading interests of these institutions involve dozens of crores of rupees. These corporations and companies are run as so many office files, with the result that, as Mr. Das said a little while ago, the position of the House in relation to the management of these institutions, involving hundreds of crores of rupees, becomes a matter of vital interest today. The Public Accounts Committee is there, but, as you know, it comes into the picture and holds an inquest perhaps one or two years after the money is spent. There is the Estimates Committee of which I have the honour to be a Member for two years, and you may take it from me that up to the moment we could not take in hand one single case of a corporation or company which has been incorporated by the Government of India. I am only making a reference to this because there is neither the time nor the opportunity for either the Public Accounts Committee or the Estimates Committee to take a grip of the problems involved here. In parenthesis, I would say that the Public Accounts Committee have made a valuable contribution in this regard and I will quote the recommendations of the Public Accounts Committee very soon. The basic position is that these Committees are already overburdened with work and they have neither the opportunity nor the time to go into these questions fully.

Here, Sir, I would like to make reference to the answer given by my hon. friend Shri Reddy to a question put to him on the 16th November 1953 with reference to Sindri Fertilizers. The question was regarding government's reluctance to supply information in connection with the nature of agreements entered into by the Sindri Fertilizers & Chemicals Ltd. Here is the answer which Shri Reddy gave—

> "Such a right does not vest absolutely in the shareholders under the law. What is disclosed to the shareholders is dependent upon the discretion of the Directors in accordance with the merits of the case and exercised within the framework of the law of the Company's Articles of Association. An important consideration is that while shareholders should be given information regarding the activities of the Company, there should be no disclosure which is likely to affect the interests of the Company adversely."

Who are our shareholders of the Sindri Factory? The Rashtrapati is the principal shareholder and only one share is held by the Secretary of the Ministry concerned—this is the answer given to the House by the hon. Minister of Production when he was questioned on this matter. It was here that the Prime Minister intervened. I am quoting his statement as contained in the debates of this House dated 16th November 1953:

> "Government seeks your guidance in such matters. Autonomous organizations and Government and State organizations, in carrying on their day to day work, enter into contracts and undertakings and normally even Government does not interfere. Of

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course, as my hon. friend on the other side said."

he was pointing to me, and then said:

> "this House can always interfere in anything and nobody has challenged the right of this House to interfere. It is a question of the propriety and desirability of such petty matters,..."

And what are the matters referred to? I have listed them: the agreement of the Sindri Fertilizers with Messrs. Karl Still for the installation of a coke oven plant involving vast sums of money, and the second one is the agreement with Messrs. Associated Cement Co. Ltd., for the sale of sledge to them involving vast sums of money—in the second case, it is from year to year. Now, at this stage, Mr. Speaker, you intervened, but in this case you were not prepared to give a detailed ruling. I am referring to this because of the relevancy of the debate, procedural, as regards the right and competence and desirability of the House to have some procedure to take, but also of the activities of these corporations.

This was your statement: I am quoting it:

> "But my reaction is that the House is entitled to have all information that is reasonably necessary and just to judge whether the administration of a particular corporation, which is autonomous, is being carried on properly or not."

But also, you said:

> "But it ought not to enter into the day to day details or very minor details so as to interfere with the autonomy of the particular corporation."

I am here to declare very categorically that none is interested in the day-to-day working of these corporations or in any minor details. The question is, accountability,—accountability not only in the technical accountancy sense but also in the political or constitutional sense. It is a matter of importance.

Let us examine the constitutional position. To my mind, barring a few which were incorporated by law passed by this hon. House and Parliament generally, most of these corporations have come into existence as a result of cabinet decisions. In other words, they have been formed by executive action, by executive action without any reference to parliamentary sanction. And here, Sir, I will refer to the articles of the Constitution which are relevant for our discussion Article 114 (3) says:

> "...no money shall be withdrawn from the Consolidated Fund of India except under appropriation made by law passed in accordance with the provisions of this article."

Then, Sir there is article 266(3) which says:

> "No moneys out of the Consolidated Fund of India or the Consolidated Fund of a State shall be appropriated except in accordance with law and for the purposes and in the manner provided in this Constitution."

Sir, the main burden of my argument today is that these two articles have not been observed in the case of most of these corporations and companies. This is a wide statement, but I am prepared to stand by it.

Now, let us see, Sir, what was the position as regards the investigations of the Estimates Committee and the Public Accounts Committee. I would be brief, because I know the House is very much interested in hearing many other hon. Members who wish to participate in the debate. I am quoting from the Fifth Report of the Estimates Committee for 1951-52 with reference to the Damodar Valley Corporation. Paragraph 46 of the report says:

"The Committee feel that the present administrative and financial set up of the Corporation is most imperfect, illogical and open to criticism."

Then, Sir, in paragraph 105 of the same report, the Committee says:

"The whole position is far from satisfactory. The autonomous character of the D.V.C. has been taken to extreme limits. The D.V.C. has developed strange conceptions of its autonomy and tried to bypass the authority or advice of the Government. The Government in turn failed to keep it within limits, although necessary power is vested in them to do so."

What happened after the Estimates Committee reported? An *ad hoc* committee was appointed by the Ministry concerned, presided over by Mr. P. S. Rau. Here, I have got the relevant quotation which appeared in most of the newspapers of the 14th July. The Estimates Committee is one of the principal statutory organs of this House to exercise financial control, and to introduce economy and efficiency. And yet, after the report was presented to this honourable House, a small committee of officials was set up, and this is the verdict and the challenge of this *ad hoc* committee. I am quoting:

"Full parliamentary control over statutory corporations in charge of river valley schemes would have the effect of placing them in a position worse than that of Government departments."

Now, Sir, with your permission, I would read three small extracts from the findings of the Public Accounts Committee., which, to my mind, are most important for today's discussion. In paragraph 7 of the report of the Public Accounts Committee for 1950-51, the following occurs. I am quoting:

"We feel that there has been a tendency on the part of the Government to start all sort of schemes without adequate planning or even ensuring the initial or regular supply of the requisite technical staff whether on the administrative or on the accounts side and it consequently gave rise to confusion. The lack of proper appraisal of commercial accounting principles made the confusion worse confounded."

In paragraph 8 of the same report, the Public Accounts Committee said:— I am quoting:—

"We share the views held by the Comptroller and Auditor-General that his functions and responsibilities should be defined in explicit terms in the Statute itself providing for the setting up of a Corporation."

Then, Sir, comes the third report of the Public Accounts Committee for 1952-53. Actually, it is the report of the Sub-Committee presided over by my hon. friend, Acharya Agarawal, and accepted and endorsed by the Chairman of the Public Accounts Committee. I am thankful to the Chairman for reminding me of this. This is what they say:

"The Sub-Committee doubt the constitutional propriety of Government converting State Industrial undertakings into private limited companies, of which the President and one or more officers become the share-holders. Such a course not only detracts from Parliamentary Control, but also affects the audit control of the Comptroller and Auditor-General which the Sub-Committee regard as essential on behalf of Parliament."

And finally, Sir, the *coup de grace* of no less a person than the Comptroller and Auditor-General, is here, on the manner in which these corporations and companies are managed. I am quoting, Sir, from the statement made by the Comptroller and Auditor-General to this sub-committee of the Public Accounts Committee on the 13th December, 1952, and incorporated in the report of

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the main Public Accounts Committee. The House must bear with me, because this extract is very important, and in fact my whole argument hinges upon this particular extract. I am quoting:

> "These 'Private Limited' Companies are, in my opinion, a fraud on the Companies Act and also on the Constitution, because money cannot be taken away from the Consolidated Fund for the establishment and transformation of certain concerns into Private Companies in the name of the Persident and Secretary to Government. Under the Companies Act, a Company can be formed by a group of persons. The President or the Secretary to Government is not a person. These officers do not have any personal financial interest in the Company, and their joining together cannot constitute a Company in the correct sense of the term. Further to convert a Government concern into a Private Company solely by executive action is unconstitutional. While recognizing that the management of industrial and business concerns differs from normal day to day activities of administration and that special organization and delegation of authority more in accordance with the speedier business practices may be necessary, the Government should have the backing of suitable Parliamentary enactment for the setting up of corporations."

There is another point involved, which is also part of the statement made by the Comptroller and Auditor-General. It reads thus:

> "There is another important point involved in this procedure of creating a Private Company. Under the Indian Companies Act, Private Companies are to be audited by Auditors nominated by the Board of Directors. The Comptroller and Auditor-General will not, therefore, have any automatic right to audit such a Company. It is likely to be argued that his audit control is thus ousted."
>
> "It is true that the Company may request him to be the Auditor if necessary by incorporating suitable provisions in its Articles of Association, but this would be..."

Some of the corporations do bring in the Auditor-General in this way.

> "...but this would be neither proper nor binding as the Comptroller and Auditor-General's duties and functions are prescribed by Parliament, and cannot be regulated by the Articles of Association of a Company. Furthermore, even if he undertakes audit on a 'consent' basis, on payment of fees, he can only submit his Audit Report to the Company, and not to Parliament through the President. Parliament cannot watch through the Public Accounts Committee the regularity of the operations and the financial results of any such Company. These observations also apply to concerns in the form of Private Companies in which Government take substantial share capital or guarantee against losses."

Finally, Sir, the Auditor-General said:

> "I regard the entire procedure adopted in these cases as unconstitutional and invalid, and hold that I have a right to exercise audit on the accounts of the Company on the basis that by an improper diversion of funds they should not escape my audit scrutiny."—

the diversion being from the Consolidated Fund of India, and he added:

> "I may mention that the creation of such Companies through executive action is expressly

prohibited in the U.S.A., and the Congress has specifically to legislate in the matter."

This, as I said earlier, is the *coup de grace* of the controversy or the position in regard to the management and activities of public corporations and companies in India. I would be brief now.

Ever since England was committed to nationalisation,—and even before nationalisation under the Labour Government became a cardinal factor of national policy—the House of Commons accumulated a lot of experience on these matters. It so happened that in December 1951 the House of Commons appointed a Select Committee to investigate into the question of nationalised industries. This Committee submitted two reports. The second report which is most important and relevant for present purposes made the following recommendation, namely, that a permanent Committee of the House of Commons should be constituted charged with the power and duty not only to investigate "both present and past financial probity and stability but future plans and programmes" (that is both into the past as well as into the future) of public corporations in Britain which are managing nationalised industries. Then, Sir, the Select Committee of the House of Commons recommended that "a new Committee of the House of Commons should be set up which would take over from the Public Accounts Committee the work of examining the accounts of these nationalised industries." It also suggested—I think, to my mind, it is a very important recommendation, worthy of the consideration of this hon. House—that the staff of the proposed Select Committee on nationalised industries should include a person of the status of the Comptroller and Auditor-General and at least one professional accountant. Under the recommendations of the Select Committee, each Corporation should publish annual reports, including "the best estimate it can make of the percentage increase or decrease since the date of its establishment in the average cost to the consumer of its products or services taken as a whole."

Here is the sum total of the position in the United Kingdom. There is one other point I would like to mention. Each one of these corporations in India today—whether they belong to the Defence Services, to the Production Ministry or any other Ministry—has become a monopoly, a monopoly without competition, whether it is producing fertilisers at Sindri, or building ships at the shipyard at Visakapatanam, or making telephones at Bangalore, or even making ordnance stores in various ordnance factories. There is absolutely no competition at all, with the result that the consumer angle has been completely forgotten. I would like to develop this point, but I have no time. But the House will bear with me if I say that each one has become an *imperium in imperio*, —small kingdoms, completely assigned to, shall we say, the overlordship of the officer who happens to be the Managing Director or Chairman. I have no quarrel with anybody, as far as these officers are concerned. But in the national interest something must be done immediately to ensure (a) that the control of the Minister becomes effective—and I know from personal experience what is happening in the shipyard that it is not so, and (b) the authority of this House is maintained.

Before I conclude, I would, Sir, with your consent, like to refer to an answer which was given by my hon. friend the Production Minister, Shri K. C. Reddy, in reply to a question of mine regarding the shipyard at Visakapatanam. He said that Government do not have the estimates as to the manner in which the French firm is going to reorganise or remodel the yard—costs are not made known, maybe they are to be made known now. This is only one illustration; but this can be multiplied by my hon. colleagues times out of number.

Finally, Sir, I suggest the creation of a parliamentary committee—apart

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from the Public Accounts Committee and the Estimates Committee—under your direction, to sit all the year round, specifically charged with the task of looking into the affairs of these various categories of corporations, companies and institutions. Some of them, as my hon. friend the Finance Minister pointed out, are not even incorporated under any law at all. This, I am convinced, will strengthen the hands of the Ministers, will affirm and enforce the authority of Parliament and will give more than everything else, Sir, to the tax payer an assurance that his moneys are properly husbanded. I am making this suggestion with the request that Government will look into this matter in the national interest.

In the end, Sir, I should like to say that I have not raised this debate for hitting the headlines, or in a mood of levity. It is not a political problem, Sir. It has nothing to do with party politics. And sitting in the lobby for the past several days, I knew the intensity of feeling of several of my hon. friends opposite who share these views. This is a matter which has got to be discussed dispassionately, constructively. I, Sir, commend to Government, my suggestion as far as the Parliamentary Committee goes.

Mr. Speaker: Is the Government prepared to say anything at this stage? If they do, members following may know what the Government's view on this question is.

Shri C. D. Deshmukh: Government point of view would be more or less a full reply to what the hon. Member has said. There is no information to be given, but I have got to controvert many of the points which the hon. Member has made. So, it will really be a reply to the speech made by the hon. member. It might be better if we had also the views of the other members. Then Government could give a comprehensive reply.

Mr. Speaker: I was thinking somewhat differently. If the House could know what Government thought about the general propositions made out by the first speaker, perhaps it might be helpful to the other speakers to shorten the debate or to criticise further. That was what I was thinking.

Shri C. D. Deshmukh: Would there be another opportunity for the same speaker to speak again on behalf of Government?

Mr. Speaker: Yes.

Shri V. B. Gandhi (Bombay City—North): We should have a chance.

Mr. Speaker: The hon. member will have a better chance, if he knows what Government's views are.

Shri C. D. Deshmukh: In that case I could perhaps begin by making a brief contribution to the debate at this stage.

It seems to me, Sir, that the hon. member has mixed up two or three different issues. It would be necessary to get them out of the way. The first one is the formation of companies without recourse to legislation. Now that was done as a sort of emergency measure for making certain arrangements in regard to the production of certain materials like the fertilisers and so on. That was not a final decision and it is in our thoughts that at the appropriate moment either we might come forward with legislation authorising the setting up of State Corporations for business or industry by Government or alternatively we might introduce in the Companies Law (Amendment) Bill which is before the House a separate chapter in regard to companies which are owned either wholly or predominantly by the State. While we admit that, by and large, there is a great deal of substance in what the Comptroller and Auditor-General says —although we do object to the use of the word "fraud" so to speak....

Shri N. C. Chatterjee (Hooghly): Fraud on the Constitution.

6 P.M.

Shri C. D. Deshmukh: I concede that the position should be regularised. I would like to add that the hon. Member's impression that whatever has been put into these companies from the Consolidated Fund, is done without an appropriation is not correct. No money can be paid out of the Consolidated Fund without some appropriation of some kind or the other. Therefore, Sir, the real issue is not so much of paying out of moneys out of the Consolidated Fund, or the form of organisation, but (a) the powers of the Comptroller and Auditor-General and (b) the authority of the executive as well as Parliament over these organisations, especially in regard to financial matters, that is to say, financial control. In regard to the position of the Comptroller and Auditor-General, when we bring forward that particular legislation which we have in mind or when we insert that chapter, undoubtedly we shall make a provision there which will ensure that the Comptroller and Auditor-General is enabled to exercise the functions which the Constitution intended that he should exercise. In the case of organisations which are owned entirely by Government there, of course, there is no question; it will always be provided that the Comptroller and Auditor-General shall audit. The doubts will arise in respect of companies or corporations, maybe—and they are likely to be companies rather than corporations—in which Government have only a share. Now, some limit would have to be indicated above which the whole concern would be regarded as sufficiently a State concern to attract the exercise of the functions of the Comptroller and Auditor-General. And at the appropriate time I have no doubt that the House will be invited to give its thought to these matters and we might remove any doubts that might be lingering in the mind of the Comptroller and Auditor-General or in the minds of the Public Accounts Committee.

The next issue is: what financial control is exercised by the executive over these corporations? Undoubtedly there is, so to speak, an act of self-abnegation here. That is to say, the executive refrains from exercising the day-to-day financial control that it exercises over other kinds of disbursements. There are various kinds of this kind of relinquishment or suspense of the rights of the executive. But as a result of experience certain patterns are being evolved and where for the sake of facility of administration or for the elimination of red tape, we invest that body, maybe a company or a corporation, with financial powers, certain precautions are taken. One precaution which is invariably taken is that the Financial Representative, at a very high level—either a Joint Secretary or Secretary is attached to that concern as a director. Now, when he exercises his powers, although it is not said in so many words that everything shall be done with his concurrence, in practice that result is bound to follow. Because, if he is over-ruled, well, then he can report the matter to the Ministry of Finance; and the Ministry of Finance can then take up the matter with the corporation and move Government to make the necessary changes which will ensure that financial advice is taken.

That, Sir, is parallel to the position of the Finance Ministry in Government itself. There is no contitutional provision that the Finance Minister will not be over-ruled in matters of judging financial propriety. But at the same time it has never happened that a Finance Minister—or, shall I say a self-respecting Finance Minister—has ever been over-ruled. Because, either as a result of discussion in the Cabinet, where there is difference of views, he acquiesces in a certain decision where a matter of grave principle is not involved, or the alternative is he leaves the Cabinet—or he should leave the Cabinet. So far as the Rules of Business under article 77 are concerned, it is laid down that no department shall, without the previous concurrence of the Department of Revenue and Expenditure, issue any orders which may—(a)

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involve any abandonment of revenue or involve any expenditure for which no provision has been made in the Appropriation Act, or (b) involve any grant of land or assignment of revenue or concession, grant lease or licence of mineral or forest rights or a right to water power or any easement or privilege in respect of such concession, (c) relate to the number or the grade of posts or to the strength of a service or to the pay or allowances of government servants or to any other conditions of their service having financial implications, or (d) *otherwise have a financial bearing, whether involving expenditure or not.*

So, these, Sir, are very wide provisions. And although these are Rules of Business made by the President under article 77 (3) under the advice of the Cabinet, and impliedly thereby they can be altered, they could not be altered unless, as I say, the Finance Minister himself concurs in them. As I said, there is a strong representative of the Finance Ministry.

Then, usually, we find that there is also the power either provided for by executive orders, or where there is an enactment, by a provision of the law itself that Government shall issue directives to the corporation. That is a very useful power which extends to the exercise of authority both in the administrative as well as in the financial sphere. As an instance, I might state that in regard to the Damodar Valley Corporation, at one time, when certain high paid appointments were made, a directive was issued that no appointments can be made without the approval of the Government if the salary exceeds Rs. 2,000 per month. That kind of directive can always be issued. That, Sir, is the general pattern.

Why is it that the Executive Government is prepared to devolve or suspend some of its powers? There is always a balance to be sought between the desirability of ensuring that public funds are well spent and the desirability of having the work properly done, that is to say, to ensure that red tape is eliminated. At what stage precisely one should be stressed to the exclusion of the other is a matter of judgment and also a matter of experience. We are at the beginning of our experience and it may be that as we gain experience,—in that I include any observations made by the Comptroller and Auditor-General as well as by the Public Accounts Committee—and distil the principles out of those observations and any reflections that occur to us out of any remarks that may emerge out of discussions like this, then, we shall be better able, so to speak, to decide the precise pattern of financial control to be followed. But, I should like to make one point and that is, that it would never be desirable to insist on the same kind of financial control that is exercised in regard to other executive fields which may be regarded as departmental executive fields, because, if we were to try to do that, then, we should be following a procedure which would be defeating its own purpose.

Next, I come to the control of Parliament. The hon. Member quoted something from the U.K. As far as I can discover, the Public Accounts Committee is never eliminated. I do not know whether I misunderstood him. Anyway, I make the statement that all reports and accounts issued by the corporations are presented to Parliament and consequently are subject to scrutiny by the Public Accounts Committee. It is the Comptroller and Auditor-General who does not always figure in these matters. But, as the hon. Member himself has pointed out, there is now a move that an officer should be appointed to audit, who shall have a status equal to the Comptroller and Auditor-General. Therefore we may take it that it is ensured that Audit is carried out. But, the point that I wish to make....

Dr. Lanka Sundaram: If I may intervene, the recommendation that

I quoted was for a Parliamentary Committee with the assistance of an officer of the status of the Comptroller and Auditor-General. I am talking of Parliamentary Committee.

Shri C. D. Deshmukh: I shall deal with the Parliamentary Committee last. That is the main proposal that the hon. Member has made. But, I think he did make a statement that the Public Accounts Committee is eliminated.

Dr. Lanka Sundaram: I did not say so.

Shri C. D. Deshmukh: I say that the Public Accounts Committee can never be eliminated. Then, he said that this arrangement is not very satisfactory because the Public Accounts Committee can come in only for *ex post facto* judgment. My reply is that in the nature of things, the Public Accounts Committee must come in for exercising *ex post facto* judgment. In other words, the method of financial control by the executive must be distinguished from the method of financial control by the legislature. The two things are not the same. In other words, Parliament is by constitutional checks and balances, holding certain critical positions. But, they are not the same as are held by the Executive.

Parliament comes in when moneys are appropriated. Parliament comes in when the Public Accounts Committee reports on how these appropriations have been used, and when the Public Accounts Committee considers this there is no document that can be withheld from the Public Accounts Committee. They can ask for all the accounts of the particular concern concerned. I think much has been made of the answer given by my hon. colleague in regard to the furnishing of lists of contracts. It may be that certainly, as the Prime Minister pointed out, if Parliament does insist that all the contracts must be placed before the House, they have a right to demand, but as a matter of practical prudence it may be that these things are not necessary. In other words, public officers who exercise certain functions carry their heads, so to speak, on a platter and ready to be knocked off if it is shown and proved afterwards to the satisfaction of Parliament that they have not properly carried out their duties. Therefore, I do not see how there has been any detraction from the authority of the Parliament exercised through the Public Accounts Committee by the mere creation of Corporations with the knowledge and consent of Parliament. Let us now confine this issue to the very clear and over-simplified case of a Corporation created by an Act of Legislature. Therefore, Parliament itself would be invited to exercise a certain measure of self-denial, or at least to agree to a measure of self-denial by the executive in its financial controls. And if that is the situation, well then, if experience proves that the thing is not working properly, then it may be that we may have to revise the whole basis of what we call our mixed economy. It may be that we find that our bureaucracy is not capable of handling some of the matters which have been entrusted to them.

The hon. Member referred to a Food Secretary having been appointed as Managing Director or something of the Shipyard and the Secretary-General being appointed as the Chairman of the Shipping Corporation. He probably does not recall that that particular person had been for umpteen years in the Commerce and Industry Ministry.

Dr. Lanka Sundaram: What about the policeman controlling civil aviation?

Shri C. D. Deshmukh: So, if one has to commiserate with anyone, one has to commiserate with the External Affairs Ministry and not with the shipping yard. In other words, he was very well qualified to be Chairman of the Shipping Corporation.

Now, so far as these negotiations are concerned, the hon. Member is

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under a very wrong impression. I myself can vouch to this that I have been concerned at almost every important stage with the negotiations, from the financial point of view, in regard to the oil refineries or with negotiations that are going on in regard to steel today. Indeed, so far as steel is concerned, there is an *ad hoc* Committee of the Cabinet which includes the Prime Minister, the Production Minister, the Commerce and Industry Minister, myself and one or two other Ministers who consider important aspects of all draft agreements from time to time. And if we sent an officer to negotiate an agreement, well, he used to ask for our instructions telegraphically and used to receive them.

Therefore, I do not think that Parliament should feel any sense of disquiet in this necessary process of finalising, or first drafting and then finalising, these agreements. Also, at the proper time we are always ready and anxious to place these agreements before the Legislature. I believe that the oil refinery agreements have already been placed before the Legislature.

Therefore, my main point is so far as governance is concerned, there must always be an element "in arrears" so to speak. That is to say we must stand the judgment and if we are found wrong, then take the medicine. That position can never be corrected by any other machinery that you may set up.

Lastly, the hon. Member has referred to the setting up of a Parliamentary Committee. Now, it is entirely within the authority of Parliament if they wish that they must...

Dr. Lanka Sundaram: Hear, hear.

Shri C. D. Deshmukh: That is a truism, Sir, which does not deserve any cheer at all. So, if Parliament were to wish that there should be such a Committee, certainly there should be one. But I would urge certain considerations before Parliament makes up its mind. As I said, a balance has to be struck somewhere. We want a fairly adequate financial control of the kind appropriate for that particular body—if it is legislative control, it is then for the legislature, if it is executive control, it is then for the executive. We might as well say that a small sub-committee of Ministers should be formed who should visit Sindhri from time to time. That also is another variation only in the executive field. Now I say that so far as the legislative field is concerned, having in regard all the attributes of the exercise of financial control, it seems to me that at this stage of our industrial expansion and development, there is a danger of our trying to go too far, and immersing ourselves too much in the administration. I have taken note of the hon. Member's observation that it is not his intention that there should be any kind of day to day interference, and indeed as I understood him, it was his object to be fully informed about what is going on. And that is where I join issue with him. Is it necessary for Parliament to be informed from day to day or session to session, as to how a particular corporation is being run? Is it not better to enable the executive to manage these, and then to call the executive to account in the way in which Parliament always calls the executive to account? That is a consideration which Parliament will have to bear in mind, before they take a decision on this matter.

I shall have another opportunity of elaborating what I have said, but these are the main issues which seem to me to arise out of this proposition.

Shri V. B. Gandhi: Mr. Speaker Sir, the issue that this House has clearly to understand, to begin with, is this. Are Government doing anything, in their management of State-owned and State-controlled industries, by which the control of this Parliament is being diminished or reduced beyond a point at which this Parliament has a right

to expect to have that control? That is the main issue, and the choice before this Parliament is as follows: Shall we have public corporations, shall we have our industries managed by statutory corporations, by public limited companies, or even by private limited companies with the advantages that go with such management, as well as with a portion of our control surrendered within well-defined limits? Or shall we have none of these things, but retain our Parliamentary control over all expenditure in the old unrestricted manner? These are the two choices before this House.

Now, this House has obviously made the choice in favour of public corporations, because there are several statutory corporations which have been set up with the sanction of this House. After that, certain other forms of management by private limited companies have been set up. Now what this House has to consider is whether because of these new forms of management through private limited companies, this House has suffered any diminution in its control over these enterprises and undertakings, as compared with the control that this House can exercise over industries managed by public corporations. We shall deal presently with these three issues. First, talking about public corporations, we all know that the greatest experiment in this respect was made in the United Kingdom, during 1945—50, when a number of industries were nationalised. And in most of these industries, the British Parliament preferred, as its chosen instrument, the public corporation. Now, we also have, as I said, some such corporations like the Damodar Valley Corporation and the very recently formed Air Corporations. Now, it is very clear that in a number of ways our public corporations have been patterned after the British model and, therefore, when we talk of parliamentary control over these public corporations, we also have to accept the British idea of surrendering some part of Parliament's control over such corporations.

Now, Sir, here I would not go very much into detail, but I will only read one statement made by Mr. Herbert Morrison, Lord President of the Council and Leader of the House of Commons on this very pertinent issue. Here Mr. Morrison says:

> "A large degree of independence for the Boards in matters of current administration is vital to their efficiency as commercial undertakings."

A large degree of independence is vital.

> "A Minister is responsible to Parliament for action which he may take in relation to a Board or action coming within his statutory powers which he has not taken."

Now the Minister's action is defined within certain limits in this clause. We shall come to that presently.

> "This is the principle that determines generally the matters on which a question may be put down for answer by a Minister in the House of Commons."

Not beyond this limit—the limit within which the Minister has powers *vis-a-vis* the Corporation under the Act.

> "Thus the Minister would be answerable for any directions he gave in the national interest and for the action which he took on proposals which a Board was required by statute to lay before him."

Now, this is very important, Sir—the latter part of it—what I am going to read.

> "It would be contrary to this principle and to the clearly expressed intention of Parliament in the governing legislation if Ministers were to give in replies in Parliament or in letters information about day to day matters."

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It would be contrary to the principle, as he says.

> "Undue intervention by the Minister would tend to impair the Board's commercial freedom of action. The Boards of socialised industries are under an obligation to submit annual reports and accounts which are to be laid before Parliament. In the Government's view, it is right that Parliament should from time to time review the work of the Boards on the basis of the reports and accounts presented to Parliament."

Now, these are the well defined limits within which Parliamentary control can be exercised within which questions can be put down for answer by a Minister, and the Minister is answerable only in respect of those powers that under the Acts creating or governing those corporations he has been given.

Now, Sir, the intention of Parliament as well as of this House can be very easily understood in respect of our control. In most of the British Acts, there is this provision—I am sure many of us know—that a person shall be...

Shri K. C. Sodhia (Sagar): Are we to be guided by these Acts?

Mr. Speaker: Order, order. He should address the Chair.

Shri V. B. Gandhi: I shall also presently refer to our Act.

Mr. Speaker: He should address the Chair. The hon. Member need not mind the interruption. The time is very short.

Shri V. B. Gandhi: I am sorry, Sir.

Now, in most of the British Acts, there is this provision. 'A person shall be disqualified for being appointed or being a Member of the Board so long as he is a Member of the Commons House of Parliament'.

A Member of Parliament is altogether disqualified from being even a member of the Board. The same provision obtains in the Damodar Valley Corporation. It is in very similar phraseology.

An Hon. Member: That is most disheartening.

Shri V. B. Gandhi: Now, Sir, that shows how the whole underlying idea is to maintain and preserve the independence of these Corporations from frequent interference of Parliament.

Another point made was about the private limited companies that are being set up here. The question that we have to ask ourselves is this. Is this Parliament in its exercise of control over these undertakings in any way placed under a handicap or is it asked to surrender any more of its control because of these private limited companies than it would be in the case of the statutory Public Corporations? Sir, if we carefully study the conditions obtaining under these two systems of management, that is one by the Public Corporations and the other by the Private Limited Companies, we find that the powers of this House to control are more limited under the Acts governing our Public Corporations than in the case of Private Limited Joint-stock Companies. Sir, the powers of the Minister in the matter of giving directions in respect of general policy etc. and the items in which the Minister shall give instructions are well defined; whereas such definition does not obtain in the case of Private Limited Joint-stock Companies. Therefore, in the case of Private Limited Joint-stock Companies the Minister is answerable to this House in a greater variety of questions concerning them than in the case of the Public Corporations.

I will take a few points raised by Dr. Lanka Sundaram. He said something about the officers of the Government being placed in positions of

power. Then he himself supplied a reply by asking what kind of commercial management is possible with these officers who were either in the Food and Agriculture Ministry and are now placed in charge of a shipbuilding company or others. The whole thing is, it is not the officer or the person who is placed in that position that matters, but the conditions of freedom, efficiency and flexibility under which he is allowed to function. This same officer in a Government department will find himself trammelled and held up at every stage by all those traditionally known Government procedures, but placed in charge of a commercial concern, he can act with decision and flexibility. If we take a businessman like our friend Mr. Tulsidas Kilachand and place him in charge of a Government department, he will find that his efficiency, his freedom, his flexibility have been considerably affected.

Shri M. S. Gurupadaswamy (Mysore): But what is the point?

An Hon. Member: He has forgotten.

Shri V. B. Gandhi: Sir, with these words, I conclude.

Shri U. C. Patnaik (Ghumsur): Mr. Speaker I will not take the time of the House with a speech but I will put a few questions, notice of which I have already given to the Ministry. In view of the hon. the Finance Minister's speech, I had to change the form of one or two questions. It is these—

(1) Private limited companies have been formed and been working for some length of time without appropriate legislative enactments. Will Government be pleased to indicate when such legislation will come into existence?

(2) Does not the appropriation of money from the Consolidated Fund of India for financing such corporations till such Parliamentary enactment, constitute a violation of the provisions of Article 266(3) of the Constitution?

(3) Although reports are being placed before Parliament and the P.A.C., about the working of some of these corporations, why are not the estimates relating to the receipts and expenditure of these concerns, private limited companies, placed before Parliament, like the annual budget relating to other departmental expenditure?

(4) Have any rules or regulations been framed or directives issued—

(a) for the management of the business of these companies,

(b) for the appointment of Directors, official and non-official, laying down the qualifications and experience required for such personnel,

(c) what steps have been taken to guard against nepotism and corruption in such appointments?

(d) who will be responsible for mismanagement, corruption and inefficiency in the running of these concerns, and what authority is to take disciplinary action against such persons?

(5) Does not the Board of Directors appoint the Auditors and have the power of reappointing them, thereby circumventing the control of official audit?

(6) What is the remedy if there is collusion between the management and the Auditors who are dependent upon them for appointment, reappointment and remuneration? What steps have been taken to ensure control of the Auditor-General over this expenditure?

(7) Is there any proposal to prevent the same firm of auditors or the partners of the same firm from being re-appointed after two or three years, to avoid *mala fide* practices, if necessary, by making special provision in the Companies Act or otherwise?

(8) Has Government finalised any scheme for enabling Parliament to

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exercise effective control over the expenditure of these concerns while reserving the minimum autonomy necessary for day to day administration of the concerns?

(9) A few questions regarding two or three individual concerns:—

(a) Regarding Sindri, when there is undisposed, accumulated stock, why has Government committed itself to get fresh stock under the T.C.A.? Having deputed the General Manager for a study tour in foreign countries, how is it that he was relieved immediately after his return to India, for appointment to a new post in the Air Corporation?

(b) Regarding Hindustan Shipyard, what steps have Government taken to build smaller type of sea-going vessels conforming to designs of Naval and Fishery experts on the Danish or other models?

Mr. Speaker: Questions regarding individual corporations will be beyond the scope of this discussion.

Shri U. C. Patnaik: Then, Sir, another question is: what steps have been taken to assess the idle capacity of the plants and machineries in these concerns and to ensure that the same is being fully utilised? And Sir, what steps have the concerned Ministries been taking to ensure that the foreign experts that they are importing are really qualified for their present posts and that Indians are being trained as their understudies? These are the questions, Sir.

The Minister of Production (Shri K. C. Reddy): Sir, I would like to have some information and guidance from you. Various questions have been raised by the hon. Member Mr. Patnaik relating not only to general principles with regard to this subject that is being debated—Parliamentary control over public corporations—but also to the various items in respect of various companies. You said they should not go beyond the scope of the debate. Several questions have been asked, and the later parts of his questions relate to various concerns. I do not know if the time for the debate has been extended. Unless it is done, it is not possible to give a satisfactory answer.

Mr. Speaker: I am prepared to give time for the debate, but not to enlarge the scope of the debate. That is why I told the hon. Member that he was going beyond the scope of the subject. Those questions need not be taken seriously into consideration, for a reply, on this debate.

Shri Tulsidas (Mehsana West): I have been listening with great interest to the speech of Dr. Lanka Sundaram, and the observations made by the hon. Finance Minister. Sir, when the air services were nationalized, or rather when industries are nationalized, it has to be borne in mind that the managements of these nationalized industries should be run on businesslike principles. I know that the Government adopted the procedure of forming private limited companies or corporations and thereby allowing these industries to have more flexibility and pliability in management. Sir, this is also a very important factor with regard to the management of industries. As the hon. Finance Minister just now mentioned it is most vital to having the industries run and managed in a proper manner. I know that when an industry is nationalized or when a corporation is formed for running it on a nationalized basis, it should have the ultimate aim of having the larger interests and good of the people. This means that when a private enterprise runs an industry, the yardstick is profit, while in a nationalized industry the yardstick is to see that the community at large gets the manufactured article or the services at a reasonable price. Now, Sir, I know that most of these industries which are nationalized are run with this motive.—*i.e.* in the larger interests of the community. Sir, the fundamental point is this that it is rather difficult to give a very catego-

rical answer: what would be the proper thing to do? We know in the private sector also, there are different modes of management. We have the managing agency system. We have also the system wherein the Managing Director is appointed and we have also the system of having the Board of Directors managing a particular concern. Now, Sir, in all these three modes of management in a private enterprise, each one is playing its part and in particular categories of industries or trade, a particular mode of management has been useful. You know, Sir, that in banking and insurance there is no question of Managing Agency; banking and insurance are managed by Board of Directors. Certain companies have managing directors, but the Board of Directors manage the concern. But, Sir, behind all this management, whether it is by the Managing Agency, or the Managing Director, the appointment is by the Board of Directors.

But the fundamental point is to whom are they to account. In this particular case, in the case of nationalised industries, the accountability is to the people. When a particular industry is nationalised, or a particular industry is put on a nationalised basis, we have to take into consideration that we are doing it in the larger interest of the country and therefore the accountability will have to be to the people and to this Parliament which is representative of the people. Therefore, one cannot get away from the fact that when an industry is nationalised, or put on a nationalised basis, a certain amount of—you may call it 'interference',—control by Parliament is necessary and must be there. I know that it is not possible to run a nationalised industry on the same lines as it is run by the private sector. Therefore, this small disadvantage, or advantage, whatever it is, has to be taken into consideration from the time that industry is started on the basis of a nationalised industry or is nationalised. This factor has to be taken into consideration: we cannot get away from that fact.

Dr. John Matthai, speaking the other day in Bombay said:

> "An important consideration to bear in mind was that parliamentary scrutiny and vigilance were the only effective substitutes for the element of profit which in private enterprise provide, however inadequately, a motive as well as a yardstick. Where profit element did not operate as in Government concerns, the attempt made by the executive to reduce parliamentary control to a minimum was fraught with danger and should be carefully watched."

Unless we take that into consideration we cannot think of making a proper pattern for this. I have gone through the Select Committee Reports of the House of Commons, which has studied the pros and cons of nationalised industries. I have also got some experience in a Corporation run by Government (the Hindustan Shipyard) from which I feel that due to certain factors imposing conditions on the management, it would not be possible to run a State corporation on the same line, as is done in the private sector. Therefore, whatever corporations or private limited companies are formed, this factor will bear fundamentally on the management of the company or corporation. In a corporation, due to want of flexibility there are certain handicaps in the matter of taking decisions. In private sector a decision is arrived at across a table. If in a private sector a decision is wrong it ends in losses. In public limited companies and in private limited companies run by Government, a decision takes a little longer time than in a company managed by private enterprise. And if decisions are wrong, then there are losses. But it does create, apart from losses, something—if I may use the expression—not in the larger interests of the country, namely, that it creates higher costs, it makes the

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article costlier to the people and one has to go into how the corporation works. Naturally, to a certain extent it does go against the larger interests of the country.

But we have accepted a mixed economy. We must have certain industries in the public sector and certain industries in the private sector. We have defined certain categories which will be in the public sector and mentioned the reasons why these industries are required in the public sector. For instance, in respect of things like Defence industries, we must have them in the public sector whether it costs more or less, in the larger interests of the public. Similarly there are certain industries which cannot be started in the country unless and until they are started by the public sector, on account of the reason that the technical know-how or the resources required are not available in the private sector.

Now I shall refer to other point which we have to bear in mind with regard to these industries when they are nationalised. I would take the example of air services which have been nationalised. At that very moment I mentioned that the question of retrenchment will have to be faced, that being a nationalised Corporation we shall have to retrench, with all eight companies coming in. There again, Parliament says: no, we cannot have retrenchment, we must continue them.

Shri B. Das: Not Parliament, the labour community.

Shri Tulsidas: In Parliament we did have a discussion and so many people did ask for an assurance that there will be no retrenchment whatsoever.

The Deputy Minister of Communications (Shri Raj Bahadur): But then we took note of the growing and expanding nature of the services.

Shri Tulsidas: Either you carry out expansion, or with the same amount of people the cost will be higher. All the losses will have to be met from the exchequer.

Therefore, what I feel is that whether the industry is nationalised or put up as a corporation—statutory corporation or private limited company,—we shall have to take that factor into consideration. And I feel that when Government decide on any issue, they must consider this fact that they must nationalise only such industries or put them up as a corporation where the private sector cannot function. These qualifications —you may call them—have to be borne in mind. And unless those are taken into consideration it will not be possible to run them in that manner.

There is another point which Dr. Matthai made the other day and I think it is very important. He said:

> "If, for any special reasons, it was considered necessary to run Government undertakings through public corporations, it was essential that the incorporating statute should provide for greater parliamentary scrutiny than, for instance, the present enabling Central legislation regarding road transport. Where a business called for energy, drive, enterprise, specialised management etc., the proper solution was not to shelter officialdom from parliamentary scrutiny but to leave such business in the hands of private enterprise subject to the general control of Government. For Parliament to agree to extend the domain of the executive into untried fields of administration and in the process surrender its own responsibility was bad alike for Parliament and for the executive."

I think he has put this point quite properly by expressing his views in this manner. I feel that it is no use trying to set up some Committees or some sort of control. Even when

an industry is nationalised and run by the Government, the handicaps or weaknesses which are there will have to be taken into consideration and they are bound to be there, whatever type of control we have. Of course, we must have control over the public sector.

What I feel is this. In the UK, they have gone into this matter thoroughly and after going into the pros and cons, they have definitely decided to form a Committee of the House to go into this matter. On these lines, if we have also a Committee in this country, then we will have a certain control. But, this Committee should not go into the day to day affairs. Naturally, it will not be possible for us to go and interfere with the day to day affairs of these corporations. In this report of the Select Committee on Nationalised Industries, they say, after going into all these things,

> "We were impressed by the suggestion of Sir Frank Tribe that it would be of great value to the Committee if the great public corporations should be encouraged to prepare statements of their anticipated revenue and expenditure. This would enable it to satisfy itself that the corporation was genuinely trying to comply with its statutory requirements of breaking even, taking one year with another, and it would give it a means of comparing what had been expected at the beginning with the actual outturn."

Another point that I would like to make is this. If in a country like England, where they have technical people available in larger numbers than we have in India, in spite of that, they have found that they should have a Committee of this nature, to have proper accounts and control on these corporations. Though our country is not small,—I realise that we are not a small country like England yet we have to develop a lot economically and—we will have to have a certain amount of control of this nature. We must also have a provision by statute that the day to day management should not be interfered with. We may have a person who may look after and run these industries with authority from the Government and from Parliament, in the manner Parliament desires, and he should have enough authority, so that in that particular sphere, Parliament may not come in. But, he has still to account for the broader policy on the financial side of the industry. That is what I feel, Sir.

Mr. Speaker: I think we may better adjourn now. There are only five minutes to Seven. We shall take up this matter tomorrow. After Question-hour there is a Bill, the Repealing and Amending Bill. When that is finished, we go up to 4 o'clock. That is the utmost limit for this discussion and it must come to a conclusion at 4 o' clock. Then private Members Business will begin.

Shri K. K. Basu (Diamond Harbour): That may take a long time.

Mr. Speaker: It may now become very short. There is no other alternative because the whole thing will be repeated.

Shri K. K. Basu: I only wanted to submit that if it is possible, this one hour should be given tomorrow immediately after the Repealing and Amending Bill is over.

Mr. Speaker: That Bill has to be put through. That is also partly discussed. That will not take a long time. It ought not to take more than five minutes.

The House may now adjourn.

The House then adjourned till Half Past One of the Clock on Friday, the 11th December, 1953.